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THE MOTHER OF PARLIAMENTS

BY THE SAME AUTHOR

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Ballads of the Boer War
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Fiscal Ballads
Verse and Worse
Misrepresentative Women
A Song-Garden for Children
Familiar Faces
Deportmental Ditties
The Bolster Book

UNIV. OF
CALIFORNIA

THE HOUSES OF PARLIAMENT

THE MOTHER OF PARLIAMENTS

BY

HARRY GRAHAM

AUTHOR OF "A GROUP OF SCOTTISH WOMEN"

WITH TWENTY ILLUSTRATIONS

UNIV. OF
CALIFORNIA

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TO

MY WIFE

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PREFACE

THE history of England's Parliament is the history of the English people. To the latter it must consequently prove a source of never-failing interest. That it does so is clearly shown by the long list of writers who have sought and found inspiration in the subject. To add to their number may perhaps seem an unnecessary, even a superfluous, task. This volume may indeed be likened to that "Old Piece in a New Dress" to which Petyt compared his *Lex Parliamentaria*. "These things, men will say, have been done before; the same Matter, and much the same Form, are to be found in other Writers, and this is but to obtrude upon the World a vain Repetition of other men's observations." But although the frank use of secondhand matter cannot in this case be denied, it is to be hoped that even the oldest and most threadbare material may be woven into a fresh pattern, suitable to modern taste.

In these democratic days a seat in either House of Parliament is no longer the monopoly of a single privileged class: it lies within the reach of all who can afford the luxury of representing either themselves or their fellows at Westminster. It is therefore only natural that the interest in parliamentary affairs should be more widely disseminated to-day than ever. It does not confine itself to actual or potential members of both Houses, but is to be found in the bosom of the humblest constituent, and even of that shadowy individual vaguely referred to as the Man in the Street. Though, however, the interest in Parliament is widespread, a knowledge of parliamentary forms, of the actual conduct of business in either House, of the working of the parliamentary machine, is less universal.

At the present time the sources of information open to the student of parliamentary history may roughly be regarded as twofold. For the earnest scholar, desirous of examining the basis and groundwork of the Constitution, the birth and growth of Parliament, the gradual extension and development of its power, its privileges and procedure, the writings of all the great English historians, and of such parliamentary experts as Hatsell, May, Palgrave, Sir William Anson, Sir Courtenay Ilbert and Professor Redlich, provide a rich mine of information. That more considerable section of the reading public which seeks to be entertained rather than instructed, can have its needs supplied by less technical but no less able parliamentary writers—Sir Henry W. Lucy, Mr. T. P. O'Connor, Mr. MacDonagh—none of whom, as a rule, attempts to do more than touch lightly upon fundamental Constitutional questions.

The idea of combining instruction with amusement is one from which every normal-minded being naturally shrinks: the attempt generally results in the failure either to inform or entertain. There does, however, seem to be room for a volume on the subject of Parliament which shall be sufficiently instructive to appeal to the student, and yet not so technical as to alarm or repel the general reader. It is with the object of supplying the need for such a book that the following pages have been written.

An endeavour to satisfy the tastes of every class of reader and at the same time to cover the whole field of parliamentary history within the limits of a single volume, must necessarily lead to many errors of admission as well as of omission. The material at the disposal of the author is so vast, and the difficulties of rejection and selection are equally formidable. Much of the information given must perforce be so familiar as to appear almost hackneyed. Many of the stories with which these pages are sprinkled bear upon them the imprint of extreme old age; they are grey with the cobwebs of antiquity. But while the epigram of the past is too often the commonplace of the present, the witty anecdote of one generation, which seems to another to plumb the uttermost abysses of fatuity, may yet survive to be considered a brilliant example of humour by a third. The reader, therefore, who recognises old favourites scattered here and there about the letterpress, will deride or tolerate them in accordance with the respect or contempt that he entertains for the antique.

I cannot lay claim to the possession of expert parliamentary knowledge, though perhaps, after close upon fifteen years' residence within the precincts of the Palace of Westminster, I may have acquired a certain intimacy with the life and habits of the Mother of Parliaments. For my facts I have to a great extent relied upon the researches of numerous parliamentary writers, past and present, to whom I have endeavoured to express my indebtedness, not only in copious footnotes, but also in the complete list of all sources of information given at the end of this volume. I wish to express my thanks to the many friends and acquaintances who have so kindly assisted me with their counsel and encouragement; to Mr. Kenyon, Mr. Sidney Colvin and the officials of the Print Room and Reading Room at the British Museum; to Sir Alfred Scott-Gatty, Garter King-at-Arms; to Mr. Edmund Gosse, Librarian of the House of Lords, and other officers of both Houses. My thanks are particularly due to Sir Henry Graham, Clerk of the Parliaments, who placed his unique parliamentary experience at my disposal, and whose invaluable advice and assistance have so greatly tended to lighten and facilitate my literary labours.

H. G.

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THE MOTHER OF PARLIAMENTS

UNIV. OF CALIFORNIA

THE MOTHER OF PARLIAMENTS

CHAPTER I

PARLIAMENT AND PARTY

IT has been asserted that the different social conditions of various peoples have their origin, not so much in climate or parentage, as in the character of their governments. If that be true, there is little doubt that the social conditions of England should compare most favourably with those of sister nations. But the admirable form of Government to which Englishmen have now long been accustomed, did not come into existence in the course of a single night. "The resemblance between the present Constitution and that from which it originally sprang," says an eighteenth-century writer, "is not much nearer than that between the most beautiful fly and the abject worm from which it arose."[1] And the conversion of the chrysalis into the butterfly has been a slow and troublesome process.

Montesquieu, who was an earnest student of the English Constitution, after reading the treatise of Tacitus on the manners of the early Germans, declared that it was from them that England had borrowed her idea of political government. Whether or no this "beautiful system was first invented in the woods,"[2] as he says, it is certain that we owe the primary principles of our existing constitution to German sources.

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[1] King's "Essay on the English Constitution," p. 17.

[2] "The Spirit of Laws." "Works,' vol. i. p. 212.

They date back to the earliest days of the first settlements of Teutons on the Kentish shores.

To the word "parliament" many derivations have been assigned. Petyt explains the name as suggesting that every member of the assembly which it designates should *parler le ment* or speak his mind.[1] Another authority derives it from two Celtic words, signifying to "speak abundantly"—a meaning which is more applicable in these garrulous times than it was in days when debate was often punctuated by lengthy intervals of complete silence.

Whatever its derivation, the word no doubt referred originally to the "deep speech" which the kings of old held with their councillors. The first mention of it, in connexion with a national assembly, occurs in 1246, when it was used by Matthew Prior of a general convocation of English barons. About thirty years later it appears again in the preamble to the First Statute of Westminster. It has now come to be employed entirely to describe that combination of the Three Estates, the Lords Spiritual, the Lords Temporal and the Commons, which with the Crown form the supreme legislative government of the country.

The ancient Britons possessed a Parliament of a kind, called the *Commune Concilium*. Under the Heptarchy each king in England enjoyed the services of an assembly of wise men—or Witenagemot, as it was called—which advised him upon matters of national importance. The Witan sat as a court of justice, formed the Council of the chiefs, and could impose taxes and even depose the King, though the latter too often took the whole of their powers into his own hands. When the separate kingdoms became united, their different Councils were absorbed into the one great Gemot of Wessex. This, in Anglo-Saxon times, was a small body, consisting of less than a score of Bishops, a number of Ealdormen (or heads of the different shires), and certain vassal members. This senate was undoubtedly the germ of all future systems of Parliamentary government; and though for the first two hundred years after the Conquest there is no historical record of the meeting of any body corresponding to our present Parliament, from the days of the Witenagemot to our own times the continuity of our national assemblies has never been broken.

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[1] "Lex Parliamentaria" (1690), p. 1.

The parliamentary historian suffers much from the lack of early records. None were kept in Anglo-Saxon times, the judgments of the Witan being only recorded in the memory of the judges themselves. The Rolls of Parliament begin with the year 1278—though the first mention of the Commons does not occur until 1304—and somewhere about Edward III.'s reign was written a volume called the "Vetus Codex" or "Black Book" which contains transcripts of various parliamentary proceedings. At the time of the restoration of Charles II., Prynne, the antiquarian, set himself the task of exhuming old records, and catalogued nearly a hundred parcels of ancient writs, private petitions, and returns. The MSS. which he worked upon were so dirty that he could not induce any one else to clean them, and was forced to labour alone. Wearing a nightcap over his eyes, to keep out the dust, and fortified by continual draughts of ale, he proceeded cheerfully with this laborious undertaking upon which he finally based the book which has made him famous.[1]

The House of Commons Journals begin with Edward VI. those of the Lords at the accession of Henry VIII. And though during the early part of the seventeenth century speeches were reported at some length in the Commons Journals, in the Lords only the Bills read and such matters are recorded.[2] The material to work upon is consequently of an exiguous nature, until we reach the later days of freedom of the Press and publicity of debates.

The history of Parliament proper divides itself naturally into four distinct periods. The first may be said to stretch from the middle of the thirteenth to nearly the end of the fifteenth century; the second dates from the accession of Henry VII., and extends to the Revolution of 1688. The remaining century and a half, up to the Reform Bill of 1832, forms the third period; and with the passing of that momentous Act commences the last and most important epoch of all.

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[1] "A Brief Register of Parliamentary Writs" (1664).

[2] Elsynge, Clerk of the Parliaments in the seventeenth century, took notes of the Lords' speeches, which have been published by the Camden Society (1870–1879).

During the first two periods of parliamentary history, the whole authority of government was vested in the Crown; during the third it gradually passed into the possession of the aristocracy: and it is only within the last century that the people, through their representatives in the House of Commons, have gained a complete political ascendency.

From the days of the absolute monarchy of Norman sovereigns until the reign of King John, the Crown, the Church, the Barons, and the people, were always struggling with each other; in that reign the three last forces combined against the King. The struggle was never subsequently relaxed, but it took over six centuries to transfer the governing power of the country from the hands of one individual to that of the whole people.

Prior to the reign of Henry III., no regular legislative assembly existed, though the King would occasionally summon councils of the great men of the land for consultative purposes. In William the Conqueror's time the ownership of land became the qualification for the Witenagemot, and the National Council which succeeded that assembly thus became a Council of the King's feudal vassals, and not necessarily an assembly of wise men. When, however, Simon de Montford overthrew Henry III. at Lewes, he summoned a convocation which included representative knights and burgesses, and the parliamentary system, thus instituted, was subsequently adopted by Edward I. "Many things have changed," says Dr. Gardiner in his "History of England," "but in all main points the Parliament of England, as it exists at this day, is the same as that which gathered around the great Plantagenet." The first full Parliament in English history may, therefore, be said to have been summoned by Edward I. on November 13, 1295, and represented every class of the people.

Parliament thereafter gradually resolved itself into two separate groups; on the one hand the barons and prelates, representing the aristocracy and the Church, on the other the knights and burgesses, representing the county freeholders, citizens and boroughfolk. The former constituted a High Court of Justice and final Court of Appeal; the chief duty of the latter lay in levying taxes, and they were not usually summoned unless the Crown were in need of money. These two component groups originally sat together, forming a collective assembly from which the modern Parliament has gradually developed.

In the early days of Parliament the Lords came to be regarded as the King's Council, over which he presided in person; the Commons occupied a secondary and insignificant position. The power of legislating was entirely in the hands of the King, who framed whatever laws he deemed expedient, acting on the humble petition of his people. The Crown thus exercised absolute control over Parliament, and the royal yoke was not destined to be thrown off for many hundreds of years.

In the reign of Edward III., the meetings of Parliament were uncertain and infrequent; its duration was brief. Three or four Parliaments would be held every year, and only sat for a few weeks at a time. The King's prerogative to dissolve Parliament whenever he so desired—"of all trusts vested in his majesty," as Burke says, "the most critical and delicate"[1] was one of which mediæval monarchs freely availed themselves in the days when Parliament had not yet found, nor indeed realised, its potential strength.

During the reigns of the Tudors and Stuarts, the power of the Crown was still supreme, though many attempts were

[1] "Works and Correspondence," vol. iii. p. 525. (The power to dissolve Parliament is still theoretically in the hands of the Sovereign; practically it is in those of the Cabinet. Parliament has only been dissolved once by the Sovereign since the beginning of the eighteenth century.)

made to weaken it. This second period of history, between 1485 and 1688, was a time of peculiar political stress, in which Parliament and the Crown were engaged in a perpetual conflict. Kings maintained their influence by a mixture of threats and cajolery which long proved effective. In 1536, for instance, we find Henry VIII. warning the House of Commons that, unless some measure in which he was interested were passed, certain members of that assembly would undoubtedly lose their heads.[1]

The Stuart kings were in the habit of suborning members of both Houses, by the gift of various lucrative posts or the lavish distribution of bribes. It was ever the royal desire to weaken Parliament, and this end was attained in a variety of ways. In the early part of the seventeenth century, we hear of Charles I. summoning to Hampton Court certain members whose loyalty he distrusted or whose absence from Parliament he desired. On one such occasion the Earls of Essex and Holland refused to obey his command, saying that their parliamentary writ had precedence of any royal summons—an expression of independence for which they were dismissed from the Court.[2]

In the time of Charles II. a definite system of influencing members of Parliament by gifts of money was first framed, Lord Clifford, the Lord Treasurer, being allowed a sum of £10,000 for the purpose. The fact of holding an appointment in the pay of the Crown was in itself considered sufficient to bind a member to vote in accordance with the royal will. In 1685, when many members who were in the Government service threatened to vote against the Court, Middleton, the Secretary of State, bitterly reproached them with breach of faith. "Have you not a troop of horse in his Majesty's service?" he asked of a certain Captain Kendall. "Yes, my lord," was the reply, "but my brother died last night and left me £700 a year!" [3]

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[1] Oldfield's "History of Great Britain and Ireland," vol. i. p. 280.

[2] May's "A Breviary of the History of Parliament" (1680), p. 21.

[3] Burnet's ' History of His Own Times," vol. iii. p. 92 n.

Andrew Marvell has drawn a vivid but disagreeable picture of the Parliament which was summoned immediately after the Restoration. Half the members of the House of Commons he described as "court cullies"—the word "to cully" meaning apparently to befool or cheat—and in "A list of the Principal Labourers in the great Design of Popery and Arbitrary Law," gives a catalogue of the names of over two hundred members of Parliament who received presents from the Court at this time.[1]

The independence of Parliament was first asserted by that staunch old patriot Sir John Eliot, who, during the reign of Charles I., declared to the Commons that they "came not thither either to do what the King should command them, nor to abstain when he forbade them; they came to continue constant, and to maintain their privileges."[2] But in spite of such brave words, the power of the Crown was not finally subdued until the Revolution.

The downfall of the Monarchy at the time of the Commonwealth was followed by the temporary abolition of both Lords and Commons, the latter disappearing in company with Cromwell's famous "bauble." The Protector then proceeded to call together a body of "nominees," one hundred and forty in number, who represented the various counties in proportion to the amount of taxes each of these contributed. Of the seven nominees supplied by London, Praise God Barebones, a Fleet Street leather merchant, gave his name to the Parliament thus assembled. Cromwell also created a new House of Lords, numbering about sixty.[3]

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[1] *E.g.*, "Sir Edward Turner, who for a secret service had lately a bribe of £4000, as in the Exchequer may be seen, and about £2000 before; and made Lord Chief Baron.

"Sir Stephen Fox—once a link boy; then a singing boy at Salisbury; then a serving man; and permitting his wife to be common beyond sea, at the Restoration was made Paymaster of the Guards, where he has cheated £100,000, and is one of the Green Cloth." "Flagellum Parliamentarium," pp. 10 and 24.

[2] Forster's "Life of Sir John Eliot," vol. i. p. 529.

[3] See "Journal of the Protectorate House of Lords, from the original

With the Restoration the Crown resumed much of its former power. In 1682 the publisher of a reprint of Nathaniel Bacon's "Historical Discourse," which declared that Kings could "do nothing as Kings but that of Right they ought to do," and that though they might be "Chief Commanders, yet they are not Chief Rulers," was outlawed for these treasonable statements. It was not, indeed, until the Revolution of 1688 that the royal influence was curtailed, so small a revenue being allowed to William III. that the ordinary expenses of government could not be defrayed without assembling Parliament.

The attendance of the King in Parliament had been usual in early days, but the Commons always deprecated the presence of the Sovereign in their midst. Charles I. affords the only example of a monarch attending a debate in the Lower House, when on that famous 4th of January, 1642, he marched from Whitehall to Westminster, with the intention of arresting the five leading members, Hampden, Pym, Holles, Haselrig and Strode, authors of the Grand Remonstrance, whom he had caused to be impeached on the preceding afternoon. The House had been put upon its guard by Lady Carlisle, and on the eventful day, a French officer, Hercule Langres, made his way to Westminster and warned Pym and his colleagues of the approach of the royal troops. When therefore the King arrived he found that his birds had already flown, and was compelled to retire empty-handed, amid cries of "Privilege!" from members of the outraged assembly.

In those times the desire of the Commons was to keep the Crown as ignorant as possible on the subject of their doings. The habit of providing the King with a daily account of Parliamentary proceedings did not come into fashion until the end of the eighteenth century, when the House was no longer afraid of the royal power.

The Lords have never objected as strongly as the

MS. in the possession of Lady Tangye, January 20, 1657, to April 22, 1659." House of Lords MSS. vol. iv. new series, p. 503.

Commons to the royal presence. Charles II. often found the time hang heavy on his hands, and would stroll down to the Upper House, "as a pleasant diversion." He began by sitting quietly on the Throne, listening to the debates. Later on he took to standing by the fireplace of the Lords, where he was soon surrounded by many persons anxious to gain the royal ear, and thus "broke all the decency of that House."[1] Since the accession of Queen Anne, however, no Sovereign has been present in Parliament, save at the opening or closing ceremonies. But long after kings had ceased to attend Parliament in person they continued to attempt the control of its proceedings. George III. finally brought matters to a head by his perpetual interference with the affairs of the Commons, and caused the passing of that momentous resolution, moved by Dunning on April 6, 1780, "that the influence of the Crown has increased, is increasing, and ought to be diminished," which disturbed if it could not vex Dr. Johnson.[2]

Between 1688 and 1832 political life in England was excessively corrupt. Parliament had grown to a certain extent independent of the Crown, but had not yet learnt to depend upon public opinion. It was consequently a difficult body to deal with, and had to be managed by a system of open bribery which first showed itself most conspicuously in the shape of retaining fees paid to Scottish members.[3] In 1690 the practice of regularly bribing members of the House of Commons was undertaken by the Speaker, Sir John Trevor, on behalf of the Tory party. In Queen Anne's reign a statesman paid thousands of pounds for the privilege of being made Secretary of State, and a few years later we find Sir Robert Walpole assuring a brother of Lord Gower that he knew the price of every man but three in the House of Lords.[1]

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[1] Burnet's "History of His Own Time," vol. i. p. 184.

[2] "Public affairs vex no man," said Dr. Johnson, when asked whether he were not annoyed by this vote. "I have never slept an hour less, nor eat an ounce less meat. I would have knocked the factious dogs on the head, to be sure; but I was not *vexed*."

[3] Boswell's "Life of Johnson," p. 731. (Cromwell had already stigmatized Scotland as corrupt. He had been told, he said, that it was a poor country inhabited by honest people, but found that the country was not poor and the people anything but honest.)

Bribery no longer emanated direct from the Crown, but was practised vicariously by the King through his ministers. They might object to the system, but, as King William once said to Bishop Burnet, they had to do with "a set of men who must be managed in this vile way or not at all."[2] Macaulay likens the Parliament of that time to a pump which, though it may appear dry, will, if a little water is poured into it, produce a great flow. So, he says, £10,000 given in bribes to Parliament would often produce a million in supplies.[3] Even Pelham, a man of unblemished reputation in private life, saw the absolute necessity of distributing bribes right and left. And in 1782 we find Lord North writing to George III. to remind him that "the last general election cost near £50,000 to the Crown, beyond which expense there was a pension of £1000 a year to Lord Montacute and £500 a year to Mr. Selwyn for their interest at Midhurst and Luggershall."[4]

Seats in Parliament were regularly bought and sold, the price varying from £1500 to as much as £7000. Flood, the Irish politician, purchased a seat in the English House of Commons for £4000. The notoriously corrupt borough of Gatton was publicly advertised for sale in 1792, with the power of nominating two representatives for ever, described by the auctioneer as "an elegant contingency."[5] This same seat was sold in 1831 by Sir Mark Wood for the huge sum of £60,000, and the purchaser's feelings may well be imagined when, under the Reform Act of the following year, the borough was disfranchised and rendered worthless.[6]

[1] Dr. King's "Anecdotes of His Own Time," p. 44.

[2] "History of His Own Time," vol. ii. p. 76.

[3] "History," vol. iii. p. 545.

[4] "Correspondence of George III. and Lord North," vol. ii. p. 425.

[5] Bell's "Life of Canning," p. 347.

[6] Mark Boyd's "Social Gleanings," p. 246.

Parliament was for long in the hands of a few rich persons. Wealthy individuals would buy property in small boroughs in order to increase their political influence, and cared little for the fitness of the representatives whom they nominated. The story is told of a peer being asked who should be returned for one of his boroughs, and casually mentioning a waiter at White's Club whom he did not even know by name. The waiter was duly elected, and, for aught we know, may have made a most worthy and excellent member of Parliament.[1]

In 1815 the House of Commons contained 471 members who were the creatures of 144 peers and 123 Commoners. Sixteen representatives were Government nominees; and only 171 members were actually elected by the popular vote.[2] Five years later nearly half the House were returned by peers.[3]

The passing of the Septennial Act in 1716, in place of the Triennial Act of 1694, though meeting with much hostile criticism,[4] had helped to further that growing independence of both Lords and Crown which was the chief aim of the Commons. Before the Triennial Act Parliament could only be dissolved by the Crown. Under the Triennial Act it suffered a natural death three years after the day on which it was summoned. The Septennial Act lengthened that existence by a further period of four years. Members were no longer kept in a state of perpetual anticipation of an imminent General Election; they were no more harassed by the fear of losing their seats at any moment. With security came strength, but purity was a long time in following. The Septennial Act, says Lecky, gave "a new stability to English policy, a new strength to the dynasty, and a new authority to the House of Commons." But it certainly did not tend to decrease the corruption which was then rampant both in Parliament and in the country.

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[1] Russell's "Recollections," p. 35.

[2] Oldfield's "Representative History," vol. vi., App.

[3] "The Black Book," vol. i. p. 430.

[4] "By the same violence that one Parliament, chosen but for *Three Years*, could prolong their own sitting for *Seven*, any other may presume to render themselves perpetual." Ralph's "Uses and Abuses of Parliament," vol. ii. p. 716.

The whole body politic was, indeed, utterly rotten, and it was only considered possible to maintain the ministerial influence by a system of disciplined Treasury corruption. The secret service money with which votes were bought was in the control of the Prime Minister, and Walpole is said to have stated that he did not care a rap who made Members of Parliament so long as he was allowed to deal with them after they were made. The produce of the taxes descended in fertilizing showers upon the proprietors, the agents and the members for boroughs. For them, as Lord John Russell said, the General Election was a state lottery in which there was nothing but prizes. "The elector of a borough, or a person he recommends, obtains a situation in the Customs; the member of Parliament obtains a place in the Mediterranean for a near relation; the proprietor of the borough obtains a peerage in perspective; and the larger proprietor, followed by his attendant members, shines in the summer of royal favour, with a garter, a regiment, an earldom, or a marquisate."[1] So ingrained had this idea become in the public mind that the Duke of Wellington is supposed to have asked ingenuously, on the abolition of the rotten boroughs, "How will the King's Government be carried on?"

Several ineffectual efforts had from time to time been made to slay the monster of corruption. From the days of Cromwell the question of Parliamentary reform had been anxiously urged by many statesmen, notably Lord Shaftesbury and Pitt, of whom the latter introduced reformative measures in 1781, 1782 and 1785. But though Pitt, the first Prime Minister who did not retain any of the public money for distribution among his friends and supporters, managed to reduce "places" worth over £200,000, after the American War, there still remained any number of inflated pensions and sinecures in the gift of the Government,[1] and it was not until Parliament came to be controlled entirely by public opinion that the change from corruption to purity took place. But notwithstanding many flaws in theory and blots in practice, the English Parliamentary Constitution prior to the Reform Bill was, as Mr. Gladstone called it, one of the wonders of the world. "Time was its parent, silence was its nurse. . . It did much evil and it left much good undone; but it either led or did not lag behind the national feeling and opinion."[2] With the Reform Act of 1832, Parliament advanced another stage in its career. The House of Commons definitely shook itself free from the active corruption which had so long impeded its movements.

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[1] "Essays and Sketches of Life and Character," p. 148.

The principle of Party Government, which now lies at the very root of our parliamentary system, had its origin during the second period of parliamentary history, and formed no part of the constitutional scheme of earlier days.

In Queen Elizabeth's time two definite and distinct parties arose, the one maintaining the privileges of the Crown, the other upholding the interests of the people. In Stuart days Cavaliers and Roundheads were followed by Court and Country Parties, and in the year 1679, when the Exclusion Bill was being bitterly debated, the distinctive names of "Whigs" and "Tories" first came into existence. "Whig" was originally a word applied to the lowland peasantry of the West of Scotland; thence it came to mean Covenanters, and so politicians who looked kindly upon Nonconformity. "Tory" was an expression popularly used with reference to the rebel Irish outlaws who harassed the Protestants; and thus implied leanings towards Catholicism.[3]

The growth of a respect for the people's rights forced politicians to separate into two sections, and the schism between the rival camps was still further emphasized by the Revolution of 1688. Regular opposing parties do not, however, seem to have existed in the Commons until the eighteenth century, and the party system was not finally established as a necessary element of constitutional government until the reign of William III. Kings had hitherto chosen their advisers irrespective of their political views. William III. was, however, induced by the Earl of Sunderland to form a Ministry from the party that held a majority in Parliament, and thus became to a certain extent controlled by that party.

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[1] For example, one of £7000 for a retired Auditor of the Imprest, and another of £7300 granted to Lord Bute as some slight compensation for his loss of office. See Rose's "Influence of the Crown."

[2] "Gleanings of Past Years," vol. i. pp. 134–5.

[3] O'Connell showed Pryme an Irish Act of Parliament for the suppression of "Rapparees, Tories, and other Robbers." Pryme's "Recollections," p. 231.

There have always been, as Macaulay says, under some name or other, two sets of men, those who are before their age, and those who are behind it, those who are the wisest among their contemporaries, and those who glory in being no wiser than their great-grandfathers. But this definition of the two great political parties of England can no longer with justice be applied. The Tory of to-day is not at all the Tory of two hundred years ago: indeed, he rather resembles the Whig of Queen Anne's time. And though Disraeli continued to use the word "Tory," and was never ashamed of it, it has now gradually fallen into disuse, save as a term of reproach on the lips of political opponents. A change of nomenclature was adopted in 1832. The Tories became Conservatives, and for the benefit of wavering Whigs it was proposed that the latter should be known as Liberal-Conservatives, a name which, as Lord John Russell remarked, expressed in seven syllables what Whig expressed in one.[1] The term "Radical" did not come into use until the days of the famous reformer, Francis Place (1771–1854); his political predecessors contenting themselves with the more modest name of Patriots.

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[1] A German writer, Herr Bucher, wrote as follows, in 1855:—"It would be difficult to give any other definition of the two parties than that a Whig is a man who is descended from Lord John Russell's grandmother, a Tory, one who sits behind Disraeli." "Der Parliamentarismus wie er ist," p. 152.

Called by whatever name is popular for the moment, either party may now claim to come within the scope of Burke's well-known definition as "a body of men united for promoting, by their endeavours, the national interest upon some particular principle in which they are all agreed."

Our modern parliamentary system comprises the party spirit as its most vital element, and owes its success to the fact of being government by party and not by faction.[1] The existence of an admittedly constitutional body perpetually opposed to the Government of the day—"His Majesty's Opposition," as it has been called since 1826—is now recognised as a very necessary portion of the Parliamentary machine. The principle of fairness to the minority is never lost sight of, and expresses itself in many different ways. When, for instance, the Leader of the Opposition gives notice of a motion of censure on the Government, the latter consider it their duty to accord their critics an early opportunity for its discussion; and, generally speaking, the due consideration of the rights of minorities is among the primary instincts of party government. The excellent effects of this system are obvious. Of the two ways of obtaining political adherents the attachment of party is infinitely preferable to the attachment of personal interest, formerly so prolific a source of corruption. Party feeling may also be said to have created general rules of politics, similar to a general code of morals by which a man may "walk with integrity along the path chosen by his chiefs, surrounded and supported by his political colleagues."

Opposition is invaluable as providing a stern criticism of the Government's policy; it can also very often be of service to the cause it is intended to injure. It excites a keener public curiosity, by directing attention to the motives of those whom it suspects. And "the reproaches of enemies when refuted are a surer proof of virtue than the panegyrics of friends."[1] That the system must possess certain disadvantages is inevitable. It no doubt engenders animosity and provokes violent contentions: it stimulates politicians to impute to their opponents corrupt motives which they could not for a moment imagine themselves capable of entertaining. It may also on occasion tempt them to continue obstinately in the support of wrong, because the admission of a mistake would be hailed as a triumph for their enemies. "The best cause in the world may be conducted into Faction," as Speaker Onslow said; "and the best men *may* become party men, to whom all things appear lawful, which make for their cause or their associates."[2] But as a rule the game of politics is played with commendable fairness and an absence of undue acrimony. The Opposition, whose well-known duty it is "to oppose everything, to propose nothing, and to turn out the Government,"[3] rarely makes its attacks the vehicle for personal spite. Politicians of adverse views do not carry their antagonism into private life, and off the stage of Parliament the bitterest opponents are able to exist upon amicable terms. Occasionally, however, political differences have been the cause of ruptured friendship. When Burke made a violent attack upon Fox, in 1791, on the Canada Bill, he declared that if necessary he would risk the latter's lifelong friendship by his firm and steady adherence to the British Constitution. Fox leaned across and whispered that there was no loss of friends. "Yes," replied Burke, "there *is* a loss of friends. I know the price of my conduct. I have done my duty at the price of my friend. Our friendship is at an end!" So terminated an intimacy of twenty-five years' standing. Such an incident may, nevertheless, be considered exceptional, the relations of antagonists being usually of a most harmonious kind. Sir Robert Peel and Lord John Russell would often be seen together engaged in friendly conversation. O'Connell once walked arm in arm down Whitehall with Hughes Hughes, the member for Oxford, whose head he had but recently likened to that of a calf.[1] And the present Prime Minister and Leader of the Opposition are doubtless able to play bridge or golf together without actually coming to blows. In spite, therefore, of much criticism, what Emerson calls "that capital invention of freedom, a constitutional opposition,"[2] has been found to be the most practical and satisfactory means of carrying on government.

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[1] "I have a maxim," wrote Horace Walpole to his friend Montague in 1760, "that the extinction of party is the origin of faction." "Letters," vol. iii. 370.

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[1] See Parr's "Discourse on Education,' p. 51.

[2] "Anecdotes and other miscellaneous pieces" left by the Rt. Hon. Arthur Onslow. (From the MS. at Clandon.)

[3] This saying has often been wrongly attributed to Lord Randolph Churchill. That statesman's most famous maxim on the subject of Opposition is given in his son's "Life" (p. 188–9): "Whenever by an unfortunate occurrence of circumstances an Opposition is compelled to support the Government," said Lord Randolph, "the support should be given with a kick and not with a caress, and should be withdrawn on the first available moment."

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[1] This was evidently a favourite simile of O'Connell's. He used it again with reference to Mr. Shaw, member for Dublin University, in the debate on the resolution for giving a grant to Maynooth College for the education of Roman Catholics.

[2] "English Traits," p. 46.

CHAPTER II

THE HOUSE OF LORDS

NO constitutional principle has been so strongly criticised and so freely abused as the one embodied in the hereditary chamber which forms so important a branch of our legislature. Pulteney labelled the House of Lords a "hospital for invalids"; Burke contemptuously referred to it as "the weakest part of the Constitution"; Lord Rosebery has compared it to "a mediæval barque stranded in the tideway of the nineteenth century." A more democratic modern statesman, who doubtless hopes—

> "To build, not boast, a generous race;
> No tenth transmitter of a foolish face,"

has declared the only legislative qualifications of peers to consist in their being the first-born of persons possessing as little qualifications as themselves. While another politician cynically observes that they represent nobody but themselves, and enjoy the full confidence of their constituents.

The House of Lords has long been the butt of the political satirist, and parliamentary reformers have attacked it for years patiently and persistently, hitherto without much success. "We owe the English Peerage to three sources," said a character in "Coningsby"; "the spoliation of the Church; the open and flagrant sale of its honours by the elder Stuarts; and the borough-mongering of our own times." And this bitter criticism is often quoted to prove the weakness of any form of hereditary government.

The suggestion that heredity can confer any peculiar qualifications, rendering a person more fit than his fellows for parliamentary power, is no doubt illogical, but not more so perhaps than a thousand other ideas which govern the affairs of men. The form of government by majority, for instance,—which Pope called "the madness of the many for the gain of a few"—is obviously open to criticism. Hereditary legislation has, at any rate in the eyes of its supporters, the merit of having answered well enough in practice, and, however theoretically indefensible, is not more so than hereditary kingship. The Sovereign does not inherit sagacity any more than the Duke of Norfolk, as Lord John Russell justly observed, and it would be unwise as well as unsafe to hang the Crown on the peg of an exception. It is as well, however, to remember that the Sovereign is a constitutional monarch whose powers nowadays are much restricted, whereas the Lords have the right to exercise a legislative veto the use of which kings have long since resigned.

Talent is not hereditary. No man chooses a coachman, as the first Lord Halifax once remarked, because his father was a coachman before him. But the descendant of a long line of coachmen is likely to know more about the care of horses than the grandson of a pork butcher, however eminent; and the scion of a race of legislators is at least as fully qualified for the duties of a legislator as many a politician whose chief reason for entering Parliament is the desire to add the letters M.P. to his name. Nevertheless, as has been recently pointed out by tactless statisticians, the great men of the past have but seldom bequeathed their admirable qualities to their *eldest* sons, and in a list of modern statesmen will be found but few of the names once famous in English history.

The necessity for a second chamber of some sort has always been admitted, if only to prevent the other House from being exposed to what John Stuart Mill calls "the corrupting influence of undivided power," and Cromwell "the horridest arbitrariness that was ever known in the world." Few, however, of the most ardent admirers of the hereditary system will pretend that the problem of a perfect bicameral system is solved by the present House of Lords, though they may doubtless claim that the cause of its failure does not rest entirely upon its basis of heredity. "You might as well urge as an objection to the breakwater that stems the unruly waves of the sea, that it has its foundations deep laid in another element, and that it does not float on the surface of that which it is to control," said Palmerston, "as say that the House of Lords, being hereditary, ought on that account to be reformed."[1]

If age can confer dignity and distinction upon any assembly, then must the House of Lords be peculiarly distinguished, for it is certainly the most venerable as well as the most antiquated of our Parliamentary institutions.

When Christianity became firmly established in England, each king of the Heptarchy was attended by a bishop, whose business it was to advise his royal master upon religious questions, and who thus acquired the power of influencing him in other matters as well. The minor kings were gradually replaced by earls, who were summoned, together with their attendant bishops, to the Witenagemot of the one ruling sovereign of the country. An assembly of this nature was held as far back as 1086, but it was more in the nature of a judicial Court than a Parliament. It consisted of the Archbishop of Canterbury and all other bishops, earls, and barons, and was summoned to decide important judicial cases. This Court, or *Curia Regis* as it was called, met at different times and in divers places. It transacted other business besides the judicial, and also corresponded to some extent with the more modern *levée*. It was originally composed of the Lords, the great officers of State, and some others whom the king wished to consult.

The exact position which such nobles held in the great Council of the land is not very definite. Immediately after the Conquest an earldom appears to have been regarded as an office; but it was not necessarily hereditary. Later on the possession of lands, either granted direct by the Crown or inherited, became a necessary qualification for the holder of an earldom. The transfer of titles and property in early days was a rough and ready affair, in which might played as great a part as right. (When Edward I. required the old Earl de Warrenne to produce his title deeds, the latter brought out a rusty sword that had belonged to his ancestors. "By this instrument do I hold my lands," he said, "and by the same do I intend to defend them!") But with the natural idea of the transference of land from father to son there developed the principle of the natural hereditary descent of the title dependent upon the possession of those lands.

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[1] In a speech delivered at a banquet in Glasgow on January 13, 1837.

The baronage did not come into existence until after the Conquest. In the reign of Henry I. it was entirely composed of foreigners from France. Barons held no regular office, but their lands were transferred on the hereditary principle. They owed military allegiance to the Crown, but did not necessarily sit in Parliament unless summoned to attend by the king. Such a summons was long regarded as a burden rather than a privilege, and even in the days of King John the barons only desired it as a protection from the imposition of some exceptional tax. The bishops and barons were then the natural leaders of the people; they alone were educated and armed, and they alone could attempt any successful resistance to the exorbitant demands of the Crown. They paid nearly all the taxes, and provided money for the prosecution of every war. Upon them the commonalty was dependent, looking to them for assistance when the sovereign became too grasping or tyrannical. It was the barons who forced King John to sign Magna Charta, and to them, therefore, we are indebted for the laws and constitution which we now possess. "They did not confine it to themselves alone," as Chatham declared in the House of Lords, on January 9, 1770, "but delivered it as a common blessing to the whole people." But though the present House of Lords has been described as composed of descendants of the men who wrung the Charter from King John on the plains of Runnymede, not more than four of the existing peerages are, as a matter of fact, as old as Magna Charta.

The feudal barons by tenure, whose right to a Parliamentary summons gradually became hereditary as going with their lands, were gradually joined by other prominent men who, though not landowners, were summoned to give the Council the benefit of their experience and advice. Thus gradually evolved the modern system of hereditary legislators, and the House of Lords developed into an assembly such as we now know it, though numerically far smaller.

In Richard II.'s reign the *Curia Regis* separated from Parliament and became a Privy Council. The Lords were then as unwilling as the Commons to attend diligently to their Parliamentary duties, and it was only the subsequent creation of dukes, marquesses, and viscounts that stimulated the desire to sit and claim a writ of summons as a right.

The number of earls and barons summoned to Parliament in the reigns of the first three Edwards varied from fifty to seventy-five. At times, owing to the absence of the fighting men of the country who were engaged in foreign warfare, it fell as low as sixteen. In the first Parliament of Henry VIII. there were less than thirty temporal peers, but in Elizabeth's time this number had doubled. Since Stuart days the Lords have become more and more numerous. James I. granted peerages right and left to his favourites, and, by selling baronies, viscountcies, and earldoms for sums ranging from £10,000 to £20,000, enriched his coffers and added some fifty members to the Upper House. The eighty-two temporal peers who sat in his first Parliament were gradually reinforced by his successors, until, in the time of George III., they numbered two hundred and twenty-four, exclusive of their ecclesiastical brethren.

The Lords spiritual have not always sat in the House of Lords. In early days the abbots and priors largely predominated in that assembly, but with the abolition of the monasteries they were banished from it, though a certain number retained their seats in right of the baronies which they possessed.[1] Bishops were excluded from the House of Lords by Act of Parliament in 1640—Cromwell omitted to summon them to his Upper House in 1657—and were not finally readmitted until 1661. Within living memory several unsuccessful attempts have been made to keep them out of Parliament. In 1836 a member of the Commons moved that spiritual peers be released from attendance, but his motion was defeated. Another member in the following year suggested their exclusion on the ground that they had plenty to occupy them elsewhere, that their contributions to debate upon most legislative subjects were not particularly edifying, and that they always voted with the Minister to whom they were indebted for preferment. This motion met a fate similar to that of its predecessor, as did another of the same kind in 1870.

To-day some twenty-six spiritual peers, including the two Archbishops of Canterbury and York, are given seats in the House of Lords, where they help to swell the number of that ever-increasing assembly.

Bishops usually confine themselves exclusively in the House of Lords to the discussion of matters which concern the spiritual welfare of the nation. Their contributions to debates are generally "edifying," and when they happen to cross swords with their lay brethren they are well able to hold their own. Bishop Atterbury, of Rochester, once said of a Bill before the House that he had often prophesied that such a measure would be brought up, and was sorry to find himself a true prophet. Lord Coningsby retorted that the Right Reverend Prelate had put himself forward as a prophet, but he would only liken him to a Balaam, who was reproved by his own ass. The Bishop at once replied that he was well content to be compared to Balaam. "But, my Lords," he added, "I am at a loss to make out the other part of the parallel. I am sure that I have been reproved by nobody but his Lordship!"[1]

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[1] In the sixteenth century the Prior of the Hospital of St. John of Jerusalem (near Clerkenwell), whom Selden calls "a kind of an otter, a knight half-spiritual and half-temporal," had precedence of all the lay barons in Parliament. His priory was suppressed in 1536, but his name continued to appear spasmodically in the Journals of the House of Lords until some time in Queen Elizabeth's reign.

With the creation of new peerages by successive monarchs the list of temporal peers lengthened year by year. The Union of the three kingdoms still further added to their number. By the Acts of Union with Scotland and Ireland it was laid down that sixteen Scottish and twenty-eight Irish representative peers should sit in the House of Lords. These were to be elected by their fellow-peers, the former for each Parliament, the latter for life.[2] They may be distinguished in other particulars as well, for though a Scottish peer can at any time resign his seat, an Irish peer can never do so. Even though he be a lunatic, or otherwise incapable of attending, he still retains his place in the legislature. He is also privileged in other ways. In 1699 the Commons resolved that no peer could give his vote at the election of a Member of Parliament, and, three years later, that he could not interfere in elections. To-day a standing order of the House of Commons imposes the same restraint upon all but Irish peers, who are exempt from these restrictions.

In 1875 the House of Lords was strengthened judicially by the introduction of four Lords of Appeal. The House, as is well known, has judicial as well as legislative functions to perform. It has always been the Supreme Court of the realm, and, ever since the reign of Queen Elizabeth, the ultimate Appeal has lain to it in all cases except those arising in Ecclesiastical Courts. Moreover, as the High Court of Parliament, in conjunction with the Commons, it is empowered to try offenders against the State whom the Commons have impeached. It also enjoys the privilege of trying any of its own members who may be charged with treason or felony, and of determining any disputed claims of peerage which may arise.

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[1] Dr. King's "Anecdotes," p. 130. (It was a more modern politician who, on being reproved by an opponent, said, "Consider the case of Balaam's ass; before it spoke all men regarded it as quite an ordinary quadruped, but after it had spoken they discovered what an extraordinary ass it was!")

[2] In November, 1908, the election of an Irish peer resulted in a tie between Lords Ashtown and Farnham. Such a thing had not happened since the Union. The difficulty was settled in a manner only perhaps possible in an institution as venerable as the House of Lords. In accordance with the provisions of the Act of Union, the Clerk of the Parliaments wrote the names of the candidates on two pieces of paper which he then put into a glass. One of these he drew out at random, and the peer whose name was inscribed thereon was declared to be duly elected.

There have always been a sufficient number of Lords learned in the law to provide a court for the trial of legal cases. In the past, however, occasions have arisen when the presence of lay peers has threatened to replace the judicial aspect of the House by a political one which would be fatal to its reputation as a court of appeal. It was not, indeed, until 1845 that lords unlearned in the law began to consider their presence during the hearing of judicial causes to be not only unnecessary but undesirable, and discontinued their attendance. Thirty years later the institution of four life peerages, conferred upon eminent lawyers, added still further weight to the legal decisions of the House. The hearing of appeals is now left entirely to what are called the Law Lords, who consist of the Lord Chancellor, a number of peers who have held certain high judicial offices, and the four Lords of Appeal in Ordinary—three of whom must, by the Appellate Jurisdiction Act of 1876, be present on all appeal cases.

The granting of life peerages, conferring rights of summons to the House of Lords, save as above stated, has been adjudged to be beyond the powers of the Crown. It may truly be said that in the first days of Parliament the House of Lords consisted almost entirely of life members. But when the Government of Queen Victoria attempted to revive a practice that had lain in abeyance for some centuries they were not allowed to do so.

The Supreme Court of Appeal had been violently attacked in the Commons, where certain members declared it to be inferior to any tribunal in the land. Palmerston in 1856 determined to remedy its defects by the addition of two Law Lords who should be life peers. This scheme was upheld by the Lord Chancellor, Lord Cranworth, but met with determined opposition in the Upper House. The Law Lords were especially opposed to it, fearing that, if such a precedent were allowed, no lawyer in the future would ever be given an hereditary peerage. On the Premier's recommendation the Queen proposed to confer life peerages upon two distinguished lawyers, Parke and Pemberton Leigh, and proceeded to issue a patent to the former, creating him Baron Wensleydale for life. When, however, the matter was referred to the Committee for Privileges, they decided that no life peer could either sit or vote in the House of Lords, and the Wensleydale and Kingsdown peerages had consequently to be made hereditary.

Persons who are raised to the peerage to-day are made peers of the United Kingdom. No Scotch peer has been created since the Union in 1707, and the right of conferring an Irish peerage which existed under certain restrictions in the Act of Union has ceased to be exercised except upon one notable recent occasion.[1]

During the last fifty years some one hundred and fifty additions have been made to the membership of the House of Lords. The only limit to the numerical increase of peers would seem to lie in the good sense of the Prime Minister or the patience of the Sovereign. It is of course the latter who confers peerages, though as the former usually brings suitable candidates for ennoblement to the royal notice, he is generally held responsible for the result of his recommendations.[2]

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[1] Lord Curzon of Kedleston was so created in 1898.

[2] When the last Liberal Government of Queen Victoria came into office the Court officials were discussing the new Administration one day at Windsor. "I wonder what peers they'll make," remarked one of the ladies-in-waiting. The Queen turned upon her with uplifted eyebrows.

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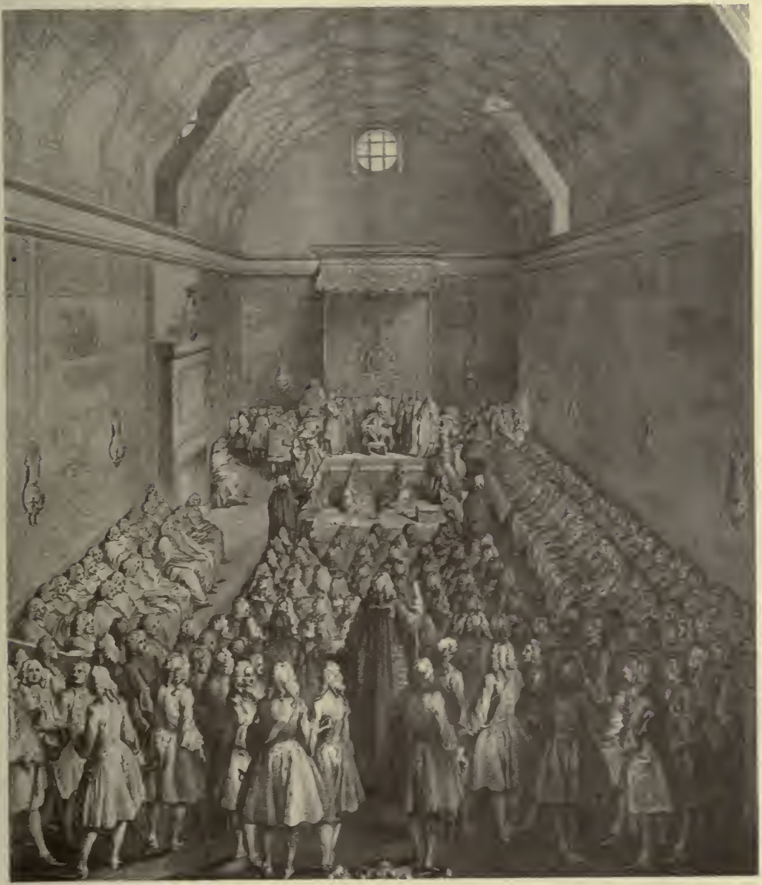

THE HOUSE OF LORDS IN 1742

FROM AN ENGRAVING BY JOHN PINE

The House of Lords now includes some 616 members, divided, as we have seen, into four classes; the Lords Spiritual, the Lords Temporal—Princes of the Blood, Dukes, Marquesses, Earls, Viscounts, Barons—the Representative Peers of Scotland and Ireland, and the Lords of Appeal in Ordinary.

The writ of summons, which did not cease to be regarded as a burden until the reign of Edward II., is now looked upon as a privilege and right which few peers would willingly forego. And the question of mutual precedence which was never mooted until the creation of Viscounts in Henry VI.'s time, is now a matter of the utmost importance to the occupants of the Gilded Chamber.

The first Parliament that is recognized as conferring the right of peerage was that of the eleventh year of Edward I. The Lords decided, in the recent case of Lord Stourton claiming the Barony of Mowbray, that a writ summoning a peer to this Parliament, followed by a sitting, gave his descendants a seat in the House.

All Peers of the Realm—a phrase which came into use in 1322—are entitled to seats in the House of Lords once they have attained their majority. Infancy disqualifies a peer from receiving a writ of summons; failure to take the oath or to affirm deprives him of the right of sitting. No alien may sit in the Lords, nor may a bankrupt or a felon, and the House as a Court of Justice may at any time pass sentence disqualifying a peer from sitting.

The functions of the Upper House which have been the subject of so much recent controversy and are still engrossing the attention of Parliament and the public, have been in former times variously defined by friendly or adverse critics. The

"*They!*" she exclaimed. An uncomfortable silence ensued. Again, in 1909, a Cabinet Minister's allusion in a speech to certain newspaper proprietors whom a Conservative Prime Minister had "taken the precaution to make into barons" inspired the King's private Secretary to write a letter to a correspondent in which he stated that, notwithstanding the Minister's statement, "the creation of Peers remains a Royal prerogative."

Lords have been described as the brake on the parliamentary wheel or as the clog in the parliamentary machine. Horace Walpole wrote some bitter verses on the subject of that House whose members "sleep in monumental state, to show the spot where their great Fathers sate;"

> "Thou senseless Hall, whose injudicious space,
> Like Death, confounds a various mismatched race,
> Where Kings and clowns, th' ambitious and the mean,
> Compose th' inactive soporific scene."[1]

Peers themselves no doubt regard the Upper Chamber as a haven where merit may receive its ultimate reward; where the achievements and the recompense of the deserving are suitably immortalized. As a "compact bulwark against the temporary violence of popular passion," to use Disraeli's phrase, and as a council for weighing the resolutions of the Commons who may at times be led away by public clamour or a sudden impulse, the Second Chamber is regarded by its defenders as of the greatest constitutional value. Lord Salisbury once declared that the chief duty of the House of Lords was to represent the permanent as opposed to the passing feelings of the English nation; "to interpose a salutary obstacle to rash or inconsiderate legislation; and to protect the people from the consequences of their own imprudence." Moreover, the Upper House thus has an opportunity of improving the details of measures, many of which leave the House of Commons in an unworkable shape, owing to the conditions under which they are amended and passed through it, and, but for the alterations effected by the Lords, would remain unworkable when they came to be embodied in the Statute-book.

It has never been the course of the Upper House to resist a continued and deliberately expressed public opinion. The Lords, as Lord Derby affirmed in 1846, "always have bowed and always will bow, to the expression of such opinion."[2]

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[1] "Letters to Sir H. Mann," vol. i. p. 380.

[2] On the Second Reading of the Corn Importation Bill, May 25, 1846.

But although history to a certain extent bears out this statement, on more than one occasion the hand of popular clamour has battered at their doors for a long time before wringing from them a reluctant acquiescence. There can be no doubt that if the country were to express itself definitely upon any question at a General Election, no House of Lords would be strong enough (or weak enough) to attempt to thwart the public will. But there have been numerous instances in which the peers have endeavoured without success to do so. In vain did they delay Parliamentary Reform in 1831, when Sidney Smith likened the House of Lords to Mrs. Partington, the old lady of Sidmouth who, during the great storm of 1824, tried to push away the Atlantic with her mop.[1] In vain did they inveigh against the passing of the Jewish Oaths Bill or the Bill for the abolition of the Corn Laws. They were eventually compelled to pass the latter, not because they thought it a good Bill, but because, as the Duke of Wellington said, it had passed the House of Commons by a huge majority, and "the Queen's Government must be supported."

On the other side it may be said that they have occasionally interpreted more successfully than the Lower House the views of the electorate, and of this perhaps the rejection of the Home Rule Bill of 1893 is the most prominent example.

Even without actually rejecting Bills the Lords have frequently opposed the will of the Commons by returning the Bills sent up to them in so amended and altered a shape as to prove wholly unacceptable; and an appeal to the country upon every point of difference, or even upon every Bill wholly rejected, is of course impracticable.

In some such cases the Commons have had recourse to a method of coercing the Lords, known by the name of "tacking," which depends for its efficacy upon the acceptation of certain doctrines relating to Money Bills laid down by the

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[1] "Works," p. 564.

Commons at intervals during the last three centuries, and in the main acquiesced in by the Lords.

The history of the matter, though of acute interest at the present time, is too long to go into here. It will be sufficient to mention that in 1678, as the result of a violent struggle between the two Houses, the Commons passed Resolutions asserting (not for the first time) that all Money Bills must have their origin in the Lower House, and that the Hereditary Chamber is powerless to amend them. And though the Lords at the time protested against both these conclusions, by their action through a long course of years they must be taken to have acquiesced in them. If, then, the Lords were unable to amend a Money Bill, they might be compelled to accept an obnoxious measure of a different nature if it were included in such a Bill, the whole of which they would be loth to throw out. This was the process adopted in several instances by the Commons, against which the Lords passed, in 1702, a Standing Order declaring the "annexing any foreign matter" to be "unparliamentary and tending to the destruction of the Constitution."

In 1770 the Commons brought in a Bill to annul the royal grants of forfeited property, and, knowing that it would be objectionable to the Upper House, cunningly tacked it on to a Money Bill. The Lords returned it, with the foreign matter excised; but it was sent back to them once more, and, acting on the advice of the Duke of Marlborough who counselled concession, they eventually swallowed the whole mixture as gracefully as they could find it in their hearts to do. In 1860, the two Houses came into collision again on the same subject, when the Lords threw out the Bill abolishing the duty on paper, which was a financial question. Gladstone retorted in the following year by tacking this Bill on to the Budget, and in this shape the Lords passed it. But their right of rejection—which indeed is involved in the necessity for their assent to every Bill—was never questioned, either in 1678 or since, until the Budget Bill was thrown out in December, 1909, when the whole question of the relations between the two Houses was brought into vital prominence and made the subject of an agitation not easily to be assuaged.

There has always existed a spirit of antagonism between the two Houses. Gladstone declared that the Commons were eyed by the Lords "as Lancelot was eyed by Modred," and this mutual antipathy has occasionally expressed itself in overt acts of rudeness. During a debate in the Lords in 1770, on the defenceless state of the nation, a peer moved that the House be cleared of strangers. A number of the Commons happened to be standing at the Bar, but, notwithstanding their protests, they were unceremoniously hustled out, being followed by a volley of hisses and jeers as they left the Chamber. The Duke of Richmond and many other peers were so disgusted at this exhibition of ill-feeling that they walked out of the House. Colonel Barré has left a graphic description of the scene. The Lords, he says, developed all the passions and violence of a mob. "One of the heads of this mob—for there were two—was a Scotchman. I heard him call out several times, 'Clear the Hoose! Clear the Hoose!' The face of the other was scarcely human; for he had contrived to put on a nose of enormous size, that disfigured him completely, and his eyes started out of his head in so frightful a way that he seemed to be undergoing the operation of being strangled."[1]

Two years after this scene, in 1772, Burke was kept waiting for three hours with a Bill which he was carrying from the Commons to the Lords. When he subsequently reported his ill-treatment to the Lower House, their indignation knew no bounds, and they proceeded to revenge themselves in a somewhat puerile manner. The very next Bill that the House of Lords sent down to them was rejected unanimously, and the Speaker threw the offensive measure on to the floor of the House, whence it was kicked to the door by a number of indignant members.

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[1] The peer in question had not donned a false nose for the occasion, as might be imagined, but was merely wearing the ordinary working nose of aristocratic proportions with which Providence had supplied him.

It is not difficult to understand the cause of jealousy and anger between the Houses, in spite of the fact that so many of the Lords have at one time or another been members of the Commons, and so many of the Commons hope to end their days in the Lords. (Croker, in a letter to Lord Hatherton, recalls a visit he paid as a stranger to the Upper House in 1857, where, of the thirty peers present, there was not one but had sat with him in the Commons, including the Duke of Wellington and the Lord Chancellor. "It shows," he says, "how completely the House of Commons has been the nursery of the House of Lords." [1]) The resentment against the Lords that undoubtedly exists in the bosoms of the Commons, which is not confined to one side of the House, but seems to be universal, results from the power of rejection which the peers can at any time exercise with regard to a measure, or of making amendments by which they can alter it out of all recognition, thus nullifying in a single day the labours of months in the Lower House. And when it is considered that this ruinous result is due not only to men who owe their seats to their successful exertions in various professions, but also in larger proportion to those who owe them to being, as Lord Thurlow said of the Duke of Grafton, "the accident of an accident,"[2] the situation must to many minds appear wholly intolerable.

One very clear cause of failure in the House of Lords to give satisfaction lies in the fact that, although government by Party is the very groundwork of the parliamentary constitution, as far as the Upper House is concerned such an idea might just as well not exist at all. Whatever the political complexion of the party in power in the House of

[1] Croker's "Letters," vol. i. p. 85.

[2] One is reminded of the reply addressed by the Emperor Alexander to Madame de Stael who was complimenting Russia on possessing so able a ruler. "Alas, Madame," he said, "I am nothing but a happy accident!"

Commons, the Lords maintain an invariable Conservative majority, indifferent to the swing of any popular pendulum, and as fixed and unalterable as the sun. But at no time for the last century has the inequality been so marked as at present, when it may be truthfully said that the Liberal peers would scarcely fill a dozen "hackney coaches."[1] And though the Liberal party has created a considerable number of peers during the last few years, it has never recovered from the secession of Liberal Unionists, and it would take many years of Liberal supremacy and large drafts upon the Prerogative of the Crown to restore even the comparative balance of early Victorian days.

This may or may not be an advantage, for though the staunch Tory is tempted to exclaim in the words of Disraeli: "Thank God there is a House of Lords!" the equally staunch Radical is scarcely likely to consider the existence of this perpetually antagonistic majority a sufficient cause for gratitude towards the Almighty. The difficulty of equalising the parties seems insurmountable, so long as ennoblement is an expensive luxury and Peers continue to be drawn from the wealthy classes.[2] There is, too, something essentially Conservative about the atmosphere of the House of Lords, which sooner or later impregnates the blood of its inmates; under its influence the Liberal of one generation rapidly exhibits a tendency to develop into the Conservative of the next. But this charge is no doubt one which may be brought with more or less truth against any Second Chamber, however constituted, which is composed of men of a certain age and position, not immediately responsible to the fluctuating voices of the people. Whether one considers such stability to be a merit or the reverse depends upon whether one adopts Lord Palmerston's and Lord Salisbury's views of the functions of a Senate, or regards it merely as a useful and select body of legislators enjoying certain limited powers of criticism and delay.

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[1] At the time of the French Revolution, the country supported the Government so strongly that the Opposition dwindled away to nothing. It was even jestingly asserted that the Whigs could all have been held in one hackney coach. "This is a calumny," said George Byng; "we should have filled two!" Campbell's "Lives of the Chancellors," vol. v. p. 614.

[2] It is suggested that the balance of party could be adjusted by the Government persuading the Crown to create a number of peerages sufficient to flood the House with peers of their particular political persuasion. In 1712, Queen Anne was prevailed upon to create twelve peers in a single day, in order to pass a Government measure. "If these twelve had not been enough," said Bolingbroke, "we could have given them another dozen!" William IV. was prepared to create a hundred new peers to ensure the passing of the Reform Bill of 1832. It remains to be seen whether such an idea is nowadays practicable.

So much has been written about this great modern controversy, that it is unnecessary to increase the literature which exists upon both sides. The issue seems to lie between reducing the Second Chamber to comparative impotence or attempting by judicious reforms in its composition to bring it into greater sympathy with the First Chamber.

The Resolutions recently passed by the Commons,[1] have

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[1] "1. That it is expedient that the House of Lords be disabled by Law from rejecting or amending a Money Bill, but that any such limitation by Law shall not be taken to diminish or qualify the existing rights and privileges of the House of Commons.

"For the purpose of this Resolution a Bill shall be considered a Money Bill if, in the opinion of the Speaker, it contains only provisions dealing with all or any of the following subjects, namely, the imposition, repeal, remission, alteration, or regulation of taxation; Charges on the Consolidated Funds or the provision of Money by Parliament; Supply; the appropriation, control, or regulation of public money; the raising or guarantee of any loan or the repayment thereof; or matters incidental to those subjects or any of them."

"2. That it is expedient that the powers of the House of Lords, as respects Bills other than Money Bills, be restricted by Law, so that any such Bill which has passed the House of Commons in three successive Sessions, and, having been sent up to the House of Lords at least one month before the end of the Session, has been rejected by that House in each of those sessions, shall become Law without the consent of the House of Lords on the Royal Assent being declared; Provided that at least two years shall have elapsed between the date of the first introduction of the Bill in the House of Commons and the date on which it passes the House of Commons for the third time.

"For the purposes of this Resolution a Bill shall be treated as for their object the complete annihilation of the latter in all matters of finance, and the retention for them of such modified powers of influencing other legislation as would enable them to delay Bills during the early years of a shortened Parliament, and refer them to the country during its last two years. The question of "tacking," in Money Bills, is to be referred to the sole arbitrament of the Speaker ; but this becomes of trifling importance when it is argued that almost any revolutionary change could be effected within the corners of a legitimate financial measure. The objection taken to the overriding of the Veto in the case of a Bill thrice presented, is that it amounts to one-Chamber legislation and would result in two classes of Acts —one passed by the Commons alone, and the other by both Houses.

The policy of Reform, on the other hand, is unacceptable to those who desire the predominance of the First Chamber, as any successful scheme for removing present defects in the constitution of the Lords—*e.g.* the excessive size of the House, the preponderance therein of one party, and the presence of undesirable members—must result in its increased strength and importance. Consequently the Commons have neither made nor encouraged any attempts in that direction.

Such suggestions as have taken any shape have been proposed by the Lords themselves, and the history of the last thirty years exhibits many internal efforts to reform on the part of those dissatisfied with the ancient constitution of the House. In 1884, Lord Rosebery's motion for a Select Committee to consider the best means of promoting the efficiency of the House of Lords, was negatived. Four years later he moved for another Select Committee to inquire into the Constitution of the House. In the same year an

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rejected by the House of Lords if it has not been passed by the House of Lords either without Amendment or with such Amendments only as may be agreed upon by both Houses."

"3. That it is expedient to limit the duration of Parliament to five years."

elaborate Bill of Lord Dunraven's for reforming the Lords was rejected, and another, promoted by Lord Salisbury, was withdrawn after having passed the second reading. In 1908 a committee met, under the chairmanship of Lord Rosebery, to look into the whole question, and issued a most interesting and practical report, full of admirable recommendations. This committee began by pointing out the expediency of reducing the numbers of an assembly which, within recent years has increased to such an extent as to render itself too unwieldy for legislative purposes. It strongly urged that the recommendations to the Crown for the creation of hereditary peerages should be restricted within somewhat narrower limits. Many peers, as the report explained, are obviously ill-suited to their Parliamentary duties; others find the work irksome and distasteful; of a few it may euphemistically be observed that their release from the burden of legislative responsibilities would be eminently desirable. Lord Rosebery's committee therefore came to the conclusion that the dignity of a peer and the dignity of a Lord of Parliament should be separate and distinct, and that, except in the case of peers of the Blood Royal, the possession of a peerage should not necessarily be attended with the right to sit and vote in the House of Lords. A further suggestion was made that the hereditary peers should be represented by two hundred of their number, elected by them to sit as Lords of Parliament, not for life, but for each parliament, and that the number of Spiritual Peers should be proportionately reduced to ten. The inclusion of representatives from the Colonies, and the granting of a writ of summons to a number of qualified persons who had held high office in the State, figured prominently in this scheme of reform.

Following up these recommendations, the House on the motion of Lord Rosebery has recently adopted the following resolutions for its own reconstitution :—

"(1) That a strong and efficient Second Chamber is not merely an integral part of the British Constitution, but is necessary to the well-being of the State and to the balance of Parliament.

"(2) That such a Chamber can best be obtained by the reform and reconstitution of the House of Lords.

"(3) That a necessary preliminary of such reform and reconstitution is the acceptance of the principle that the possession of a peerage should no longer of itself give the right to sit and vote in the House of Lords."[1]

We are sometimes tempted nowadays to laugh, like "the gardener Adam and his wife," at the claims of long descent. But the pride of birth and blood is common to all nations, perhaps less so in England than elsewere. The French ducal family of Levis boasted a descent from the princes of Judah, and would produce an old painting in which one of their ancestors was represented as bowing, hat in hand, to the Virgin, who was saying, "Couvrez-vous, mon cousin!" Similarly the family of Cory possessed a picture of Noah with one foot in the ark, exclaiming, "Sauvez les papiers de la maison de Cory!"[2] Byron is said to have been prouder of his pedigree than of his poems, and it is to be hoped that our aristocracy will never entirely forget that their ancestors have handed down to them traditions which are more precious than the titles and lands by which they are represented.

One cannot altogether relish the sight of several peers, who had been considered incompetent to manage their own affairs, hastening to Westminster at the call of a party "Whip" to record their votes upon Imperial concerns of the greatest importance. And though it must be admitted that it is rare indeed for the incompetent or degenerate members of the Upper House to take any part in its deliberations, the fact that they have the undoubted right to do so scarcely tends to enhance the respect in which that assembly is popularly held. In spite, however, of the occasional presence of "undesirables," it is generally acknowledged that if any question arises requiring a display of more than ordinary knowledge of history, or more practical wisdom or learning, these can nowhere be found so well as in the Upper House. There, too, the level of oratory and of common sense is perceptibly higher than in the popular assembly. But the Reform Bill of 1832 enabled the Commons to speak in the name of the people, which they had never hitherto done, and which the Lords cannot do, and thus created that wide gulf which now separates them from the House of Lords. Here, however, as well as there, are many men who realise that, in the words of Lord Rosebery, they have a great heritage, "their own honour, and the honour of their ancestors, and of their posterity, to guard."[1]

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[1] The following further Resolutions stand upon the Notice Paper and still await consideration:—

"(1) That in future the House of Lords shall consist of Lords of Parliament: A. Chosen by the whole body of hereditary peers from among themselves and by nomination by the Crown. B. Sitting by virtue of offices and of qualifications held by them. C. Chosen from outside.

"(2) That the term of tenure for all Lords of Parliament shall be the same, except in the case of those who sit ex-officio, who would sit so long as they held the office for which they sit."

[2] Hayward's "Essays," p. 305.

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[1] Hansard, vol. 289, p. 957 (1884).

CHAPTER III

THE HOUSE OF COMMONS

THE Witenagemot, as we have already seen, was essentially an aristocratic assembly. The populace sometimes attended its meetings, but, beyond expressing their feelings by shouts of approval, took no part in its deliberations. For many years after the Conquest the People continued to be unrepresented in the Great Council of the nation, though they were still present as spectators. From 1066 until about 1225, says Blackstone, the Lords were the only legislators. After the latter date the Commons were occasionally summoned, and in 1265 they formed a regular part of the legislature. Then for the first time did the counties of England return two knights, and the boroughs and cities two deputies each, to represent them in Parliament. Seventy-four knights from all the English counties except Chester, Durham, and Monmouth,[1] and about two hundred burgesses and citizens, sat in the Parliament of Edward I.; but it was not until the reign of his successor that any attempt was made to form a constitutional government.

The Three Estates in those days sat in the same Chamber, but did not join in debate. The Lords made the laws, and the Commons looked on or perhaps assented respectfully. The separation of the two Houses took place in the reign of Edward III., when the knights threw in their allegiance with the burgesses, and in 1322 the Lower House[2] first met apart.

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[1] Durham, both County and City, was not enfranchised until 1673, and Monmouth was regarded as a Welsh County.

[2] "The House of Commons is called the Lower House in twenty

The power of the Commons increased gradually as time advanced. By the end of the thirteenth century they had secured sufficient authority to ensure that no tax could be imposed without their consent. By the middle of the fourteenth no law could be passed unless they approved. But many centuries were yet to elapse before the chief government of the country passed into their hands.

The expense of sending representatives to Parliament was long considered a burden, many counties and boroughs applying to be discharged from the exercise of so costly a privilege. The electors of those days were apparently less anxious to furnish a Member for the popular assembly than to save the payment of his salary. Indeed, the city of Rochester, in 1411, practised the frugal custom of compelling any stranger who settled within its gates to serve a term in Parliament at his own expense. He was thus permitted to earn his freedom, and the parsimonious citizens saved an annual expenditure of about £9.[1]

With the gradual growth of parliamentary power the importance of electing members to the House of Commons began to be recognized, and, during the Wars of the Roses, fewer and fewer applications were made by boroughs and cities anxious to be relieved of this duty.

Until Henry VI.'s time, when the modern system of Bills and Statutes began to come into being, legislation was by Petition. The control of Parliament was still very largely in the hands of the Crown, and successive sovereigns took care that their influence over the Commons should be maintained. With this object in view Edward VI. enfranchised some two-and-twenty rotten boroughs, Mary added fourteen more, and in Elizabeth's time sixty-two further members, all under the royal control, were sent to leaven the Commons.

The attendance in the Lower House was still poor, not

Acts of Parliament," says Selden. "But what are twenty Acts of Parliament amongst friends?"—"Table Talk," p. 36.

[1] "Quarterly Review," vol. xxxix. p. 63.

more than two hundred members ever taking part in the largest divisions, and it was only at the culmination of the conflicts between Parliament and the Stuart Kings that the Commons began to display a real desire for independent power.

If the Revolution of 1688 firmly and finally established the supremacy of Parliament, it was only a supremacy over the Crown. The democratic element to which we are accustomed in a modern House of Commons was still conspicuously lacking. Both Houses remained purely aristocratic in character until long after this. Whigs and Tories might wrangle over political differences; they were at one in their determination to uphold the interests of a single privileged class. "This House is not the representative of the people of Great Britain," said Pitt in the Commons in 1783; "it is the representative of nominal boroughs, of ruined and exterminated towns, of noble families, of wealthy individuals, of foreign potentates." Eight members of Parliament were then nominated by the Nabob of Arcot, and in 1793 the Duke of Norfolk's nominees in the House numbered eleven. The Crown, the Church, and the aristocracy governed the country. The Commons were an insignificant body, open to bribery, dependent upon rich patrons or upon electors whose corruption was notorious. Prior to 1832, only 170 out of some 658 members of Parliament were independent; the remainder were nominated by wealthy individuals. The Reform Bill of 1832, however, brought about a mighty change. for the better. The electorate of the country was raised from 300,000 to 1,370,000. Fifty-six corrupt boroughs were disfranchised, thirty-one were deprived of one member each, and two others were reduced; and the hitherto inadequate representation of other towns and boroughs was rectified.

The Reformed Parliament that met in the following year differed in many respects from its predecessors. Sir Robert Peel was much struck by the alteration in tone, character, and appearance of the new House of Commons. "There was an asperity, a rudeness, a vulgar assumption of independence, combined with a fawning reference to the people out of doors, expressed by many of the new members, which" (as he told his friend Raikes) "was highly disgusting."[1] The Duke of Wellington, who had gone to the Peers' Gallery of the House of Commons to inspect the new Parliament, expressed his opinion more tersely. "I never saw so many shocking bad hats in my life!" he said. The spirit of democracy had crept in, but it was still an unwelcome visitor. For many years the aristocracy maintained a great preponderance in the House of Commons—in 1868 that assembly comprised 45 heirs of peerages, 65 younger sons of peers, and 57 baronets[2]—but its power decreased year by year, though even now it cannot be said to be wholly extinct.

By the Reform Acts of 1867 and 1884 the franchise qualifications were once more extended, and three and a half million names added to the register. With the election, in 1874, of the first Labour candidates—of whom one, at least, was a genuine working-man—the Commons gradually began to assume that representative appearance which it now presents.

During the last three centuries the Lower House has increased very considerably in size as well as in importance. It numbered 300 in the reign of Henry VI., and 506 at the time of the Long Parliament. In 1832, by which time the Acts of Union had added 45 Scottish and 100 Irish members,[3] the numbers had risen to 658, and to-day some 670 members sit in Parliament.

The House of Commons has long ago shaken off the shackles of the Crown, and will perhaps some day be almost as wholly emancipated from the influence of the aristocracy. Its power is increasing yearly, owing mainly to the fact that it has gained the confidence of the country, and it is now generally felt that when any great question arises, the House will solve it, as Disraeli said some fifty years ago, "not merely by the present thought and intelligence of its members, but by the accumulated wisdom of the eminent men who have preceded them." [1]

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[1] Raikes's "Journal," vol. i. p. 157.

[2] "Pall Mall Gazette," December 28, 1860.

[3] The Irish members were increased to 105 in 1832, but subsequently reduced to 103, fifty years later.

To appreciate the exact nature of those inducements which tempt a man to enter Parliament must often prove perplexing to the lay mind. To Charles James Fox the pleasures of patronage seemed the circumstances which chiefly rendered desirable the possession of political power. But the patronage in the hands of a private member to-day is of too insignificant a nature to prove an irresistible temptation, and political power of an appreciable kind is reserved for the very few.

The life of the modern legislator is a strenuous and an expensive one; it cannot be successfully undertaken by a poor or an idle man. Before a candidate may stand for Parliament at all he must deposit a substantial sum with the Returning Officer, and the mere expenses of election vary from £350 to £900 in boroughs, and from £650 to as much as £1800 in counties.[2] Add to this the annual sum —variously computed at from £200 to £500—which a member spends in subscriptions within his constituency, and it can readily be imagined that the parliamentary life is not open to all. There would, indeed, seem to be some justification for the criticism of that cynical member who said that he had often heard the House of Commons called "the best club in London," and supposed that it was so termed because it demanded the largest entrance fee.[1] A few fortunate candidates have their election expenses paid by a party or by Trades Unions, but these are in the minority, and the comparatively large cost of entering Parliament is the chief reason why, in spite of the democratic tendency of modern political thought, the House of Commons still remains in large measure a delegation of the richest if not perhaps of the most aristocratic class in England. This state of things is likely to continue unless some system is adopted of remunerating the services of legislators in the fashion which long prevailed in England and is still in vogue upon the Continent. But it is certainly open to argument whether its adoption would improve the quality of the House or the respect entertained for it in the country.

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[1] Hansard, "Debates," 18 April, 1864.

[2] The General Election of 1880 cost £1,700,000. This expenditure was reduced to about a million pounds after the passing of the Corrupt and Illegal Practices Prevention Act and the Redistribution Bill of 1883 and 1885. By the former the expenses in boroughs are limited to £350, if the number of electors does not exceed 2000; and to £380 if it does exceed 2000, with an extra £30 for every further 1000 electors. In counties, where the electors do not exceed 2000, the expenses are limited to £650, and to £710 if they exceed 2000, with an extra £60 for every further 1000 electors. These sums do not include personal expenses up to £100 and the charges of the returning officer.

In the Parliaments of Edward III. members received regular payment, the wages varying from year to year. At the beginning of the fourteenth century, for example, the knights of Dorsetshire were paid 5*s.* a day; later on this was reduced to 1*s.* 6*d.* In 1314 the daily wage of county members was 4*s.*, and they were also allowed a small sum to cover travelling expenses. In Henry VIII.'s reign boroughs were expected to pay their own members' expenses. Frugal constituencies occasionally bargained with their would-be representatives, and candidates, stimulated to generous impulses by the idea of imminent election, would agree to defray their own expenses or even to go without wages altogether. Sometimes, too, members appear to have been willing to pay for the privilege of election. In 1571 a certain Thomas Long was returned for the Wiltshire borough of Westbury by the simple process of paying the mayor a sum of £4. Long's unfitness for a seat in Parliament—he was a simple yeoman—became apparent as soon as he entered the House. On being questioned, he admitted having bribed the constituency to elect him, and was at once informed that the House had no further need of his services. The inhabitants of Westbury were fined £20, and the Mayor was compelled to refund his money.[1]

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[1] Hansard, "Debates," vol. 288, p. 1563. (5 June, 1884.) (The phrase was first used in a novel entitled, "Friends of Bohemia, or Phases of London Life," published in 1857, by a Parliamentary writer named E. M. Whitty.)

The practice of paying members long continued. In the year 1586 we find the member for Grantham suing the borough for his salary. The House of Commons does not, however, appear to have been anxious to uphold this claim, and requested that it should be withdrawn. By this time, indeed, it had become usual for members to forego the financial advantages of election—though there still remained some notable exceptions who were not satisfied with the honorary rewards attaching to the possession of a seat in Parliament—and in 1677 the Commons repealed the Statute by which wages were paid to members.[2]

Samuel Pepys deplored the gradual neglect of the old practice requiring constituencies to allow wages to their representatives, whereby, he said, "they chose men that understood their business and would attend it, and they could expect an account from, which now they cannot."[3] But this view was not the popular one, and electors gladly availed themselves of the change in public opinion to discontinue the earlier system. Motions have been brought forward on more than one occasion, "to restore the ancient constitutional custom of payment of members,"—notably in 1870 and 1888—but have always been rejected by a large majority.[4] Nowadays, however, there seems some inclination to revert to the old-fashioned and more expensive method, and within recent years a Liberal Prime Minister has promised to provide payment for members whenever funds for the purpose are available. In other respects the desire of the member of Parliament to-day would appear to be rather in the direction of relinquishing than of adding to his personal privileges. In the eighteenth century, for example, he would never have dreamt of paying postal fees. Members transmitted their correspondence without charge by the simple process of inscribing their names in one corner of the envelope. The privilege of "franking," as this was called, was afterwards limited by its being required that the date and place of posting should be added in the member's handwriting, and the daily number of free letters was restricted to ten sent and fifteen received. In those free and easy days kind-hearted members would provide their friends with large bundles of franked half-sheets of paper, and the number of persons who paid any postage on their correspondence two hundred years ago must have been very small indeed. In a letter written by Mrs. Delany to a friend in 1749 we find the subject mentioned in a way that shows how universally available had become such opportunities for defrauding the revenue. "I have been so silly as to forget franks," she writes. "I must beg the favour of you to get *a dozen or two* for me from Sir Charles Mordaunt. . . . I don't know," she adds, "but you will find a few of the Duke of Portland's in the drawer with the paper."[1]

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[1] "Parliamentary History," vol. i. p. 766.

[2] Andrew Marvell continued to receive a salary from Hull until his death in 1678 (see his "Works," vol. ii., xxxv.), and the member for Harwich obtained a writ against that borough for his salary in 1681.

[3] "Diary," 30 March, 1668.

[4] Irving's "Annals of Our Time," p. 912. (The majority in 1870 was 187.)

By the end of the eighteenth century the improper franking of letters threatened to become a public scandal. Covers were transmitted by the hundred, packed in boxes, the only limit to their distribution being the good nature of members. A London banker once received thirty-three covers containing garden seeds from a Scottish member, and it became apparent to the postal authorities that some effort must be made to put a stop to the practice.[2] This was eventually done in 1840, not without a struggle, and the modern member of Parliament who writes letters to his friends must do so

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[1] "Autobiography of Mrs. Delany," vol. ii. p. 511.

[2] Wraxall's "Posthumous Memoirs."

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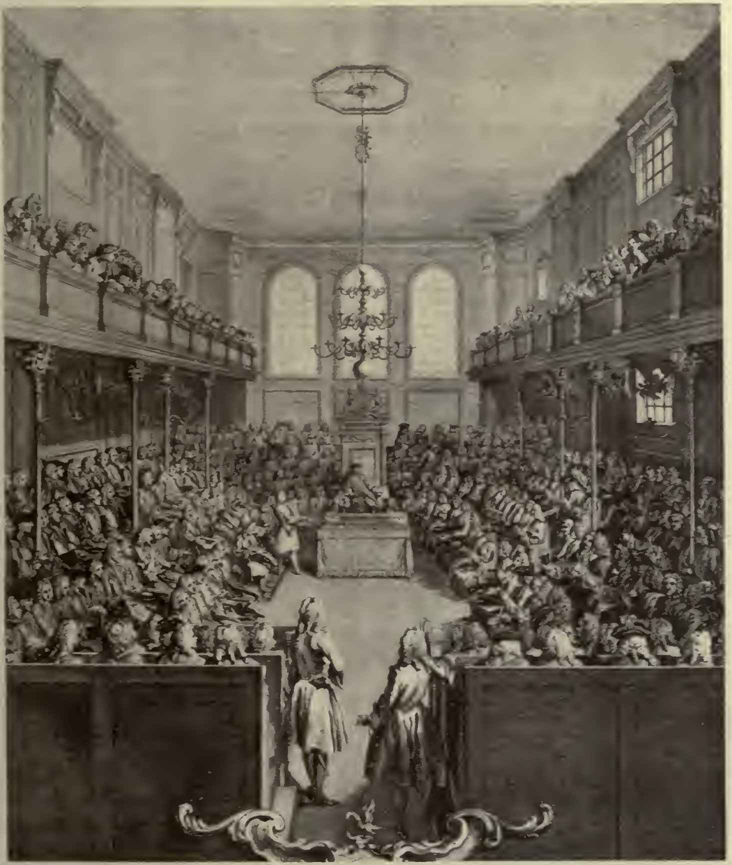

THE HOUSE OF COMMONS IN 1742

FROM AN ENGRAVING BY JOHN PINE

at his own expense. He is still, however, allowed to send a certain number of printed copies of bills to his constituents, free of charge, by writing his name in a corner of the packet.

To-day the privileges of membership are certainly not of a material kind. A few men enter the House of Commons for social purposes, and must be sadly disappointed in the result. The simple letters, "M.P." on a card are indeed no longer, as the author of that entertaining work, "Men and Manners in Parliament," declared them to be thirty years ago, "the surest passport to distinction for mediocrity travelling on the continent."[1] Bitter experience has shattered the simple faith in human nature which was once the chief charm of the Swiss innkeeper. The sight of a British member of Parliament signing a cheque no longer inspires him with confidence. He is only too well aware that among those—

> "Types of the elements whose glorious strife
> Form'd this free England, and still guard her life,"

there exist a few who are not above leaving their hotel bills permanently unpaid; and this knowledge has endowed him with a caution which is both galling to the sensitive soul of the average M.P. and extremely inconvenient to the tourist who has momentarily mislaid his letter of credit.

If the member cannot now enjoy the unmixed respect of the foreigner, it is equally certain that at home he is no longer looked upon with the veneration with which his predecessors were commonly regarded. His constituents treat him as their servant no less than as their representative. And though he may find some comfort in that definition of a member's duties for which Edmund Burke is responsible—which perhaps cost that statesman his seat at the General Election of 1780—this will prove but a slight consolation when he is suddenly called upon by his local committee to explain some change of views or to account for constant neglect of his parliamentary duties.

Parliament is not, indeed, as Burke told the electors of

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[1] p. 270.

Bristol, a congress of ambassadors from different and hostile interests, which interests each must maintain, as an agent and advocate, against other agents and advocates. It is a deliberate assembly of one nation, with one interest, that of the whole; where not local purposes, not local prejudices, ought to guide, but the general good, resulting from the general reason of the whole. "You choose a member indeed," he said; "but when you have chosen him, he is not a member of Bristol, but he is a member of *Parliament*."[1] At the same time a member cannot afford to forget that he owes much to his constituents; his existence in Parliament depends very greatly upon their good pleasure. He must be to a certain extent at their beck and call, willing to subscribe to their local charities, to open their bazaars, visit their hospitals, kick off at their football matches, take the chair at their farmers' dinners or smoking-concerts. He must have a welcome hand ever extended in the direction of the squire, a smile for the licensed victualler, a kindly nod of the head for the meanest elector, and (at election times) a kiss for the humblest voter's stickiest child. When constituents call upon him at the House he must greet them with a display of effusiveness which gives no hint of his annoyance at being interrupted in the middle of important business. They may want to be shown round the House, and such a natural desire on their part must be acquiesced in, though it is not every one who has the courage to escort a band of six hundred constituents round the Chamber, as did a member in 1883. Every morning the postman will bring him—besides that voluminous bundle of parliamentary papers and bluebooks, with the contents of which he is mythically supposed to make himself acquainted—a score of applications of various kinds from his constituents, all of which must be attended to.

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[1] Speech at Bristol in 1774. ("Works and Correspondence of E. Burke," vol. iii. p. 236). Algernon Sidney anticipated this remark. "It is not therefore for Kent or Sussex, Lewes or Maidstone, but for the whole nation, that the members chosen in those places are sent to serve in Parliament."—"Discourse Concerning Government," vol. ii. p. 370.

The day is long past when he can emulate the cavalier methods of Fox who, as Secretary of State for Foreign Affairs, affixed a notice to the door of his office: "No letters received here on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays or Saturdays! and none answered on any day!"[1]

The modern member's duties are by no means confined to the House of Commons, nor are they limited to the duration of the session. Formerly it would never have occurred to a member to make a speech in his constituency, once he was elected; though as a candidate he would of course address the voters, and might even be compelled to attend a banquet or a provincial dance.[2] The idea of paying a visit to the electors of any constituency other than his own would, a century ago, have been considered in the worst possible taste. Nowadays, however, the point of view is changed. No sooner has he completed his share in the arduous work of the session—the long tedious hours of debate, the wearisome attendance on committees, the continual tramping through the division lobbies—and shaken the dust of Westminster from his feet, than he must hasten to the country to give some account of his stewardship, to dazzle his constituents with the oratorical platitudes which have failed to move the more fastidious audience of the House of Commons. He must even be ready to rush off to the assistance of a fellow-member in some distant shire, and purge his bosom of the same perilous stuff upon various platforms all over the country.

Sir Edward Coke declared three hundred years ago that every member of Parliament should in three respects at least resemble the elephant; "first, that he hath no gall; secondly, that he is inflexible, and cannot bow; thirdly, that he is of a most ripe and perfect memory."[3] He might well have added some of the other qualities of that admirable beast—patience, docility, the capacity for hard work, and, above all, a thick skin. Though outwardly inflexible, a modern member must be prepared to bow to the wishes of his party; and in his ripe and perfect memory there should be room for the names and faces of his constituents and their wives. He must be patient when he has failed for the hundredth time to "catch the Speaker's eye"; he must be docile when the Whip urges him to vote in favour of a motion with which he disagrees fundamentally; and if he be of a thin-skinned disposition or of a delicate constitution, the labours of the House of Commons may soon prove too much for him. If he is unambitious and anxious to lead a peaceful life, he will do well to remember the advice given by Ferguson of Pitfour, who summed up his parliamentary experiences, in 1826, as follows: "I was never present at any debate I could avoid, or absent from any division I could get at. I have heard many arguments which convinced my judgment, but never one that influenced my vote. I never voted but once according to my own opinion, and that was the worst vote I ever gave. I found that the only way to be quiet in Parliament was always to vote with the Ministry, and never to take a place."[1]

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[1] Bell's "Biographical Sketches," p. 82.

[2] Croker, in 1820, complains of having to attend a three o'clock dinner and dance at Bodmin, when he stood as candidate; the whole affair being, he says, "at once tiresome and foolish." "Croker Papers," vol. i. p. 166.

[3] "Institute of the Laws of England," 4th part, p. 3.

No doubt the member of Parliament enjoys many privileges which are denied to the mere layman. He is stimulated by the excitement of participating in a perpetual political conflict; he delights in the intellectual pleasure of hearing the most interesting questions of the day debated by the shrewdest men of the age; he is conscious of being in a sense a public benefactor, with a direct (if somewhat slight) influence upon the policy of his country. He is given a front seat in what Mr. Biggar once called the "best theatre in London," and there is always the chance that some day he may himself be cast for a leading part in that great political drama which is performed night after night on the boards of the Theatre Royal, Westminster. Politics—"l'art de mentir à propos," as Voltaire defined them—may have their origin in the perversity rather than in the grandeur of the human soul, but the attraction they exercise over the average Englishman is very great.[1] But for the privileges of a parliamentary career—one of the worthiest to which a patriot can devote himself, in Mr. Balfour's opinion—a heavy price has to be paid, and to the toll of toil and treasure levied by Parliament must be added the sacrifice of independence as well as of time.

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[1] Sir H. C. Robinson's "Diary and Reminiscences," vol. ii. pp. 315–6.

In this twentieth century the initiative of the private member has almost disappeared. The Government is alone responsible for legislation ; all the most important measures brought in are Government measures. The time of the House is placed, very early in each session, at the disposal of the Government, its business is arranged to suit their convenience, and the private member must be content to make the most of such fragmentary opportunities as are flung to him. He is controlled by his party and by his Whip ; he may not leave the House without permission ; he must vote at the word of command. At one moment he may be called upon to speak at length upon a subject of which he is sublimely ignorant, in order to allow his party a chance of gathering their forces to meet an unexpected division ; at another he is compelled to refrain from good words, though it may be pain and grief to him, in order to save the precious time of the Government. And perhaps he will occasionally be inclined to agree once more with Burke that the same qualifications, nowadays, make a good member of Parliament that formerly made a good monk : "Bene loqui de superiore, legere breviarum taliter qualiter, et sinere res vadere ut vadunt"—to speak well of the minister, read the lesson he sets you, and let the State take care of itself ![2]

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[1] Moore wrote to Lady Donegal in 1807 : "I begin at last to find out that *politics* is the only thing minded in this country, and that it is better even to *rebel* against government than have nothing to do with it.' "Memoirs," vol. i. p. 225.

[2] Prior's "Life of Burke," vol. ii. p. 454.

Even so, the advantages of membership are not to be despised; and once a man has tasted the sweets of political life, all other professions fade into insignificance. He may have been moved to enter Parliament by some ambitious yearning after fame; he may have been prompted by patriotic motives, or merely the desire to prove himself a useful member of society, his serious opinion being (like that of Buxton, the great opponent of Slavery) that "good woodcock-shooting is a preferable thing to glory."[1] His contributions to debate may be of poor quality, but they will not be altogether valueless, and, after an arduous day in the House, he will listen with a glow of conscious rectitude to the ancient and welcome cry of "Who goes Home?" which rings through the lobbies and announces the close of the sitting.[2] Though he may never, perhaps, wake to find himself famous, he will often sink comfortably to sleep on his return home from the House in the early hours of the morning, soothed by the consciousness of duty done. That in itself is a thing not to be despised, and there may possibly be other benefits in store for him. If he is sufficiently painstaking and intelligent he may perchance have greatness thrust upon him in the form of an under-secretaryship, and, when he has scaled the outer breastworks of that Cabinet zareba to which access is so difficult, the suspicion that he has long cherished of being a heaven-born politician is at length confirmed.

Socrates was right when he said that whereas no man undertook a trade that he had not thoroughly learnt, everybody considered himself sufficiently qualified by nature to undertake the trade of government, probably the most difficult in the world. There are, however, certain disqualifications which prevent the most ambitious man from serving in Parliament.[3]

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[1] Buxton's "Memoirs," p. 154.

[2] In olden days members used to return from Westminster to London through lanes infested with robbers. This cry enabled them to assemble and leave the House in one another's company.

[3] It is curious to reflect that a man may be a member of Parliament

Infants and minors may not be elected to the House of Commons. But though they have always been excluded by custom or statute, their presence was winked at until the end of the eighteenth century. The members of those bygone times seem generally to have been more youthful than the members of to-day. Even the Chair was occupied by men comparatively young, Seymour, Harley, and Sir Thomas More each being elected Speaker before he had reached the age of forty. The last-named speaks of himself as a "beardless boy resisting greybeards and Kings themselves," referring no doubt to the time when Cardinal Wolsey came to the House of Commons in 1523, to ask for money for his royal master, and he actively opposed the grant.

In Queen Elizabeth's time the Lower Chamber was not weakened by the admission of too many infants; but during the reign of James I. the ancient custom for old men to make laws for young ones seems to have been inverted, there being as many as forty members of Parliament who were minors, and several who were not more than sixteen years old.[1] The poet Waller sat in the Commons before he was seventeen, while Lord Torrington (afterwards Duke of Albemarle) took part in debate when he was only fourteen, and at that age addressed the House in 1667, on the subject of Clarendon's impeachment.[2] The infant members of that day were singularly precocious and well able to look after themselves. When, for instance, some one urged that Lord Falkland was too young to sit in Parliament, as he had not yet sown his wild oats, that young nobleman rudely replied that he could imagine no more suitable place for sowing them than the House of Commons, where there were so many geese to pick them up.[3]

The Crown saw no disadvantage in having youthful

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even though he is not entitled to a vote as an elector. The Rt. Hon. Austen Chamberlain was not only a member, but even a Cabinet Minister, at a time when he had no vote.

[1] Naunton's "Fragmenta Regalia," p. 21.

[2] Shaftesbury's "Life," vol. i. p. 30 n.

[3] Townsend's "History," vol. ii. p. 400.

legislators, who could all the more easily be influenced. When Parliament assembled in 1661 and the tender age of many of the members was pointed out to King Charles, he answered that he found no great fault in that, "for he could keep them till they got beards."[1] By the Act of 1695, however, infants were formally excluded from Parliament, but for a long time they continued to sit in the House, though they most probably abstained from voting.

Extreme youth was not considered a bar to parliamentary success in days when it was possible for a politician to become Prime Minister, as Pitt did, at the age of twenty-five, though that statesman's father found it necessary on one occasion to defend himself against the charge of immaturity.[2] Both Fox and Philip Stanhope (afterwards Lord Chesterfield) delivered their maiden speeches a month or so before they came of age,[3] and Lord John Russell was returned to Parliament when he was still a minor.

As the years advanced the House of Commons became more and more particular in this respect, and at the beginning of the nineteenth century an eye-witness was struck by the large proportion of bald-headed men—nearly a third of the whole number—in the Lower Chamber.[4] To-day no one who has not reached the mature age of twenty-one can stand for Parliament, much less sit upon the sacred green benches.

Lunatics and idiots are also disentitled to parliamentary election. A member who goes mad after having taken his seat can only be removed, however, if his case is proved to be a hopeless one, the House being then petitioned to declare the seat vacant, and the Speaker issuing a new writ. In one well-known instance a committee of the House found that a member's lunacy was not so incurable as to justify his removal, and he retained his seat. In 1881 the case of a lunatic recording his vote in a division was the occasion of a painful and futile debate. The member in question suffered from periodical bouts of insanity, and had recently been certified "dangerous" at his own request, in order that he might retire temporarily to an asylum. It was therefore obviously improper for him to vote. The House, however, declined to take any serious notice of the incident, the motion for an inquiry by a Select Committee into the circumstances of the case being negatived, and the matter tactfully allowed to drop.[1]

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[1] Reresby's "Memoirs," p. 51.

[2] "Sir," he said in debate, "the atrocious crime of being a young man, which the hon. gentleman (Horace Walpole) has with such decency and spirit charged against me, I shall neither attempt to palliate or deny; but content myself with wishing that I may be one of those whose follies may cease with their youth, and not of that number who are ignorant in spite of experience."

[3] Chesterfield's "Letters," vol. ii. p. 339. In order to escape the fine of £500 Chesterfield retired from political life for a short time.

[4] Grant's "Recollections," p. 62.

Aliens cannot sit in Parliament until they have taken the precaution of becoming naturalised British subjects. In William III.'s time all persons born outside the dominions were disqualified, and when the Test and Corporation Acts were repealed in George IV.'s reign, an amendment was inserted by the Bishop of Llandaff in the House of Lords by which Jews were excluded from Parliament. They were finally admitted to the House of Commons in 1858, and during the reign of Queen Victoria naturalisation was held to carry with it full political rights.

English and Scottish peers are incapacitated from serving in the Commons. Irish peers, however, may do so, provided that they are not already sitting as representative peers in the House of Lords.[2] The eldest sons of peers were excluded from the Lower House down to the middle of the sixteenth century, when they were gratefully admitted and given seats of honour on the front bench with the Privy Councillors.

Irishmen enjoy parliamentary privileges not only as peers but also as bankrupts. The occasional combination of the two therefore carries with it some slight compensation. A bankrupt Englishman or Scotsman is disabled from even standing as a candidate for Parliament, whereas his more fortunate Irish brother may be elected. Members of Parliament who become bankrupt after election may continue to sit and vote in the Commons until the Speaker has received official notification of their bankruptcy, or the House has ordered their withdrawal.

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[1] See Hansard, vol. clxii. p. 1941.

[2] When the Lords were temporarily abolished in 1648, peers were elected to the Commons, but only a few seem to have availed themselves of this privilege. Porritt's "Unreformed House of Commons," vol. i. p. 123.

The election of clergymen and other ministers was prohibited by an Act of 1801, passed in order to deal with the case of the Rev. J. Horne Tooke, the "Father of Radicalism," who had been elected for Old Sarum. It did not succeed in its object, however, for he continued to sit for the remainder of the Parliament.[1] And by another Act, passed about 1870, any one who has relinquished the office of priest or deacon is eligible for election. Otherwise no minister of the Established Church may sit in Parliament.

Many other persons are similarly debarred, among whom may be mentioned the holders of offices under the Crown created since 1705, Crown pensioners (exclusive of civil servants and diplomats), and Government contractors. Persons guilty of treason or felony (who have neither served their sentence nor been pardoned), or of corrupt practices at elections are likewise disqualified,[2] as are also those who are unable to take the Oath of Allegiance or to affirm. There are, besides, a number of officials connected with the administration of justice, or concerned with the collection of the

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[1] Horne Tooke was a man of strength and determination. Upon all great public questions, as he once declared, "neither friends nor foes, nor life nor death, nor thunder nor lightning, would ever make him give way the breadth of one hair." When Lord Temple claimed a superior right to sit in Parliament because he had "a stake in the country," "So have I," said Tooke, "but it was not stolen from a public hedge!"

[2] In 1558 it was voted by a small majority that one outlawed or guilty of various frauds might sit in the House if duly elected, his crimes being apparently purged by virtue of his election. See Raikes's "English Constitution," vol. i. p. 323.

Revenue, or representatives of the Crown—judges, colonial governors, etc.—who are incapacitated by their positions from sitting in the House of Commons.

At one period of parliamentary history lawyers were excluded from the House of Commons, enactments in favour of keeping out "gentlemen of the long robe" being passed in Edward III.'s time. They were always unpopular members, it being supposed that they only entered Parliament as a stepping-stone to wider practice at the Bar or to some sort of Government employment. The legal profession was looked upon as one into which no one entered without views of self-aggrandisement, and the use of a seat in Parliament as a means of advertising oneself did not appeal to the country at large.[1] Lawyers are allowed to sit in the House to-day, but they may not practise as counsel before Parliamentary Committees, nor even advise professionally upon any private Bill.

Having successfully eluded all these disqualifications, paid a large sum for the privilege of serving his country, talked himself hoarse on the platforms of his constituency, and finally been returned in triumph to the House of Commons, the private member may consider himself safely launched upon the parliamentary sea. It now remains to be seen whether or not political life comes up to his expectations. If he is energetic, ambitious, and eloquent he will find free scope for his talents on the green benches at Westminster. He will be given a chance of proving his worth upon Select Committees. Here he can serve his apprenticeship in preparation for that glorious day when he may be inspired to thrill and enrapture a delighted assembly with such an outburst of oratory as shall at once establish his claim to the consideration of his party. Then indeed does Fortune seem ready to smile upon the embryo statesman. In imagination he sees himself lounging upon the Treasury bench, his feet cocked up against the historic Table, while he writes a report of the debate for the edification of his

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[1] See the "Black Book," p. 61.

Sovereign. To the political enthusiast the prospect is a rosy one. But alas! it is not every man who can aspire to the giddy heights of the front bench. After many a session of laborious days and sleepless nights, after many a recess devoted to the tiresome art known as "nursing" his constituency, after many disappointments and trials, our member may still find himself at the bottom of the parliamentary ladder. Even if he ascends to what Mr. Gladstone would have called "measurable distance" of the top, his tenure is precarious; in the defeat of a Government at a General Election he too may fall. And though his constituents remain loyal and his seat secure, there arrives a day when he begins to weary of the slavery of parliamentary life, of the drudgery of a political career. Like Macaulay, he may at length come to define politics as a pursuit from which the most that those who are engaged in it can expect is that by relinquishing liberal studies and social pleasures, by passing nights without sleep and summers without one glimpse of the beauty of nature, they may attain "that laborious, that invidious, that closely watched slavery which is mocked with the name of power."[1] When this tragic moment arrives, or when through physical infirmity, advancing years, or penury, he wishes to bid a long farewell to the scene of his parliamentary labours, he has still a minor obstacle to contend with.

A member cannot resign his seat, nor is it permissible for him to exchange it for any other. Only his own death or the dissolution of Parliament can enable him to cease from being a member, unless the House itself declares his seat to be vacant. Even expulsion from the House does not prevent his immediate re-election by a constituency determined to retain his services, as was shown in the case of Walpole—

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[1] "Edinburgh Review" (October, 1838), vol. lxviii. p. 114. The two happiest days of a statesman's life are said to be the day when he accepts high office and the day when he resigns it (Campbell's "Lives of the Chancellors," vol. i. p. 561). Lord Rosebery defined the acceptance and resignation of office as "the two supreme pleasures—one ideal, the other real."

twice expelled from the House, and re-elected by the voters of Lynn—and of Wilkes and Bradlaugh. The only thing that can prevent a man from sitting in the House, or allow a member to escape from its service, is the fact of his coming within the range of that long list of disqualifications already enumerated.

How then can a member vacate his seat in the simplest fashion? Many members would think twice before becoming bankrupt or committing a felony in order to avoid parliamentary duty. It is not given to every one to be a Colonial Governor, an Auditor General, or even a Charity Commissioner. But, by the merciful connivance of the powers that be, it is always possible for a member to incapacitate himself by holding a Crown appointment. For this beneficent purpose two ancient stewardships of a purely nominal value are upheld, that by accepting either of these offices a member may be enabled to retire gracefully from Parliament.

The steward or bailiff of the three Chiltern Hundreds of Stoke, Desborough and Boneham, and the steward of Northstead, were officers appointed by the Crown in past ages to look after certain Buckinghamshire forests in which brigands abounded. The brigands are long since dead, and the forests themselves have been converted into parks and pasture lands, but the stewardships remain, a convenient city of refuge for members who desire to escape from the active strife of Parliament, to whom they are sometimes presented as often as nine times in one session. "The parliamentary constitution of England," said Disraeli, "was born in the bosom of the Chiltern Hills; as to this day our parliamentary career is terminated among its Hundreds."[1] And since no county is fraught with greater historical and political interest than Buckinghamshire, it is perhaps fitting that it should be the means of providing a merciful release for the jaded parliamentarian whose course is run.

[1] Speech made to the farmers at Amersham Market, 1847.

CHAPTER IV

THE PALACE OF WESTMINSTER

PARLIAMENT may be summoned to assemble wherever the king pleases. Westminster, the site of that royal palace which has sheltered so many English sovereigns, from King Canute to Henry VIII., was for centuries the most natural meeting-place for the Great Council of the nation. But many another town, such as Winchester, Bury St. Edmunds, Leicester, Coventry, Reading, Salisbury, and half a dozen more, has at different times been selected as the temporary seat of Parliament, either to suit the royal convenience, or for other reasons.

Of the twenty Parliaments of Edward II. one met at Ripon, one at Northampton, and three at York and Lincoln. In Stuart days Oxford was the place chosen on two occasions, in 1625 and in 1665, when London was being ravaged by the Plague. Since the Revolution of 1668, however, Parliament has ceased to be nomadic in its habits ; in its old age it has definitely settled down at Westminster, and there it is likely to remain.

The palace in which Canute first resided, within a stone's throw of the Thames, was burnt to the ground somewhere about the year 1040. Edward the Confessor rebuilt it ten years later, and in the days of William Rufus the addition of the Great Hall further enhanced the dignity of the palace. Here William held his first court, on his return from Normandy, and since his day a succession of kings have made it the centre of innumerable scenes of royal pomp and pageantry.

William Rufus was a man of large ideas. Even the magnificence of the Great Hall did not entirely satisfy his taste for grandeur. In his imagination he had conceived a still more splendid scheme of architecture, and was disappointed with the size of the new building. On first entering to inspect it, accompanied by a large military retinue, he overheard some tactless persons remark that, in their opinion, the Hall was far too large. With a scornful look the King reduced these critics to silence, explaining that, so far from this being the case, the Hall was not half large enough, being, in fact, but a bed-chamber in comparison with the building of which he intended it to form part.[1]

By the end of the fourteenth century Westminster Hall had fallen into disrepair, and during the reign of Richard II., when the poet Chaucer was clerk of the works, it was rebuilt, the expense being met by a tax levied upon all foreigners in the kingdom. Richard celebrated the event by keeping Christmas there in a suitably seasonable fashion, "with daily justings and runnings at tilt; whereunto resorted such a number of people that there was every day spent twenty-eight or twenty-six oxen, and three hundred sheep, besides fowl without number."[2]

Prior to the days when such feats of engineering as the building of the modern Thames Embankment were possible, the proximity of the Palace to the river necessitated a system of constant repair. Until confined within reasonable limits, the Thames showed a disposition to overflow its banks upon the slightest provocation, much to the inconvenience of the royal residents in the neighbourhood. In 1236 the Palace was completely flooded, so that "men did row with wherries in the midst of it," and six years later a similar fate befell Westminster Hall. In 1579 the river once more trespassed upon the royal domain, fish being afterwards found in a moribund condition on the floor of the Great Hall. The latter, indeed, continued to be visited by periodical floods as late as the year 1841.

[1] Knight's "London," vol. vi. p. 135.

[2] Stow's "A Survey of London," p. 173.

Fire, too, seems to have proved a constant menace to the safety of the palace, though at the time of the Fire of London the Great Hall was one of the few places in which citizens could store their goods out of harm's way. In 1299 part of the palace was burnt to the ground, and at the beginning of the sixteenth century so great a proportion of it fell a prey to a "vehement conflagration" that Henry VIII. decided to forsake it altogether, and removed his court to Whitehall. Since that day royal personages have ceased to lodge at the Palace of Westminster, which is still, however, nominally a royal residence, and as such remains in the custody of an officer of the King's household.[1]

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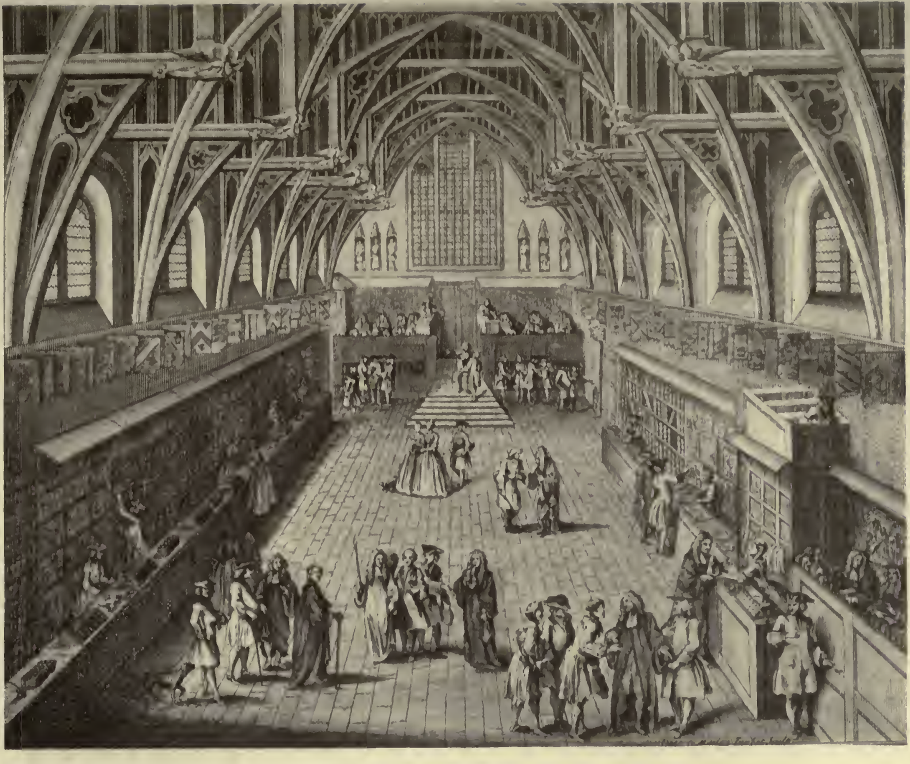
[1] The Lord Great Chamberlain, who holds an hereditary freehold office of state, is the custodian of the Palace of Westminster. He was originally an executive officer of the King's household, appointed to look after the royal residence. In 1133 the office was granted by Henry I. to Aubrey de Vere, father of the first Earl of Oxford, and to his heirs. Henry VIII. gave the post on several occasions for life to different favourites, not necessarily of the De Vere family, but since the time of Elizabeth the Lord Great Chamberlainship has been held without exception by descendants of the Earl of Oxford. To-day the families of Cholmondeley on the one side, and Ancaster and Carrington on the other, share the privileges of the office, a representative of each branch holding the Chamberlainship in turn during the lifetime of alternate sovereigns. The Lord Great Chamberlain retains authority over the buildings of both Houses, even during the session, whenever Parliament is not sitting. Here his official responsibilities end. In former times a considerable part of his duties consisted in attending his sovereign at the Coronation, when he was not only expected to dress the King, to "carry the coif, swords, and gloves, etc."; but also to undress him, and to wait on him at dinner, "having for his fee the King's bed and all the furniture of his chamber, the night apparel and the silver basin wherein the King washes, with the towels." It is traditional that if the King sleeps at Westminster he must occupy the Lord Great Chamberlain's house. George IV. did so on the eve of his Coronation, the Speaker of the House of Commons handing over his residence for the purpose to the Lord Great Chamberlain for a nominal fee. On this occasion the officials in waiting on His Majesty spent a restless night. Lord Gwydyr, the Deputy Lord Great Chamberlain, and his secretary, took their stand on one side of the King's chamber, and the Gentleman Usher of the Black Rod on the other, and there they remained until morning." (See "The Gentleman's Magazine." July, 1821.)



WESTMINSTER HALL IN 1797

FROM AN ENGRAVING BY C. MOSLEY

UNIV. OF CALIFORNIA

The Great Hall still continued to be used as the most appropriate stage for State ceremonies, for coronations and the banquets with which such events were celebrated. It was also the scene of most of the great State trials famous in English history. Such men as William Wallace, the Earls of Arundel, of Essex, and of Strafford, were here arraigned upon a charge of high treason; here Charles I. was condemned to death. In Westminster Hall Titus Oates was stripped of his ecclesiastical habit and exposed to public obloquy, with a placard upon his breast declaring his offence. Beneath this wide oak roof the Duchess of Kingston was tried for bigamy, much to her delight. Here, too, Warren Hastings faced his accusers, and triumphed over them. This is the Hall, as Macaulay says in a well-known passage, which witnessed the just sentence of Bacon and the just absolution of Somers; the Hall where the eloquence of the latter for a moment awed and melted a victorious party inflamed with just resentment. This, we may now add, is the Hall where the body of Gladstone lay in state, and the mortal remains of King Edward VII. received the homage of his sorrowing subjects.

No State trial has been held in Westminster Hall since Lord Melville was acquitted there in 1806, and on the only recent occasion on which a member of the House of Lords was tried by his peers, on July 18, 1901, the Royal Gallery of the Lords was fitted up as a court.

For centuries the coronation feasts, which were held in Westminster Hall, provided the public with a stately and imposing spectacle. Not the least interesting part of the ceremony consisted in the entrance of the King's Champion, clad in armour and mounted upon a fiery charger, who flung down his gauntlet and challenged to mortal combat all who dared to question the monarch's right to the throne. The feat required some personal courage, as well as the possession of a docile steed, for if it were not accomplished successfully the effect might well be ludicrous. Before the coronation of George III., Horace Walpole relates, Lord Talbot had spent much care in training his charger to walk backwards, so that it might make a graceful exit from the Hall without ever exposing its tail to the royal gaze. Unfortunately, the lesson had been too well learnt, and the horse insisted upon entering the Hall backwards, much to the amusement of the spectators.

Sovereigns are no longer crowned in Westminster Hall, but in the Abbey close by, and no coronation feast has been held there since the accession of George IV., when the guests repaid their sovereign's hospitality by carrying away most of his spoons as souvenirs of the event. The Hall has, however, been the scene of other less-important banquets, as, for instance, in 1905, when the officers of the visiting French fleet were entertained there as the guests of the British nation.

To Westminster Hall, Henry II. summoned his Barons in Council, and in the reign of Henry III. parliaments were often held there. Gradually, however, the building became devoted exclusively to the judicial side of the king's Great Council, and, when Edward I. occupied the throne of England, the Courts of King's Bench and Chancery held their meetings regularly at the south end of the Hall. Peter the Great, during a brief stay in England, paid a visit to Westminster Hall, and was much struck by the presence of a number of busy people in long black gowns and bobtailed wigs. On being informed that these were lawyers, "I have but two in my dominions," he observed thoughtfully, "and I believe I shall hang one of those directly I get home!"

New buildings were erected in 1738, on the west side of the Hall, to accommodate the judges, and when, about a hundred and fifty years later, the Palace of Justice was built in the Strand, the representatives of the law emigrated thither in a body.

The general public for a long time shared with the lawyers the privilege of trading within the precincts of Westminster Hall. In Edward III.'s reign merchants' stalls abounded there, being temporarily boarded over on the occasion of State pageants, and, at a much later date, Laud tells us in his diary, a conflagration in one of these shops threatened to destroy the entire building.

During the seventeenth century, book-sellers, law-stationers, and other tradesmen still plied their callings in the Hall, undisturbed by the pleadings of their legal rivals.[1] On the one side, as we read in a contemporary chronicle, were to be seen "Men with Baubles and Toys, and on the other taken up with the Fear of Judgment, on which depends their inevitable Destiny. On your Left Hand you hear a nimble Tongu'd *Sempstress*, with her Charming Treble, Invite you to buy some of her Knick-Knacks: And on your Right, a Deep-mouth'd Cryar commanding Impossibilities, viz. Silence to be kept among Women and Lawyers."[2] In the days of Pepys, the Great Hall had become a regular meeting-place for the public, and was still the most popular market for the sale of books.[3]

Trade has long been banished from the portals of Westminster Hall, its stately precincts are now desecrated by no foot less worthy than that of the Member of Parliament or the Saturday sight-seer. In other respects the Hall remains unchanged. Save for the retimbering of the roof in 1820 with oak taken from old men-of-war, it stands to-day much as it has stood for centuries. Structural alterations have occasionally been suggested, but without effect. One projected by Lord Grenville, necessitating the removal and raising of the entire roof, evoked many indignant protests.[4]

In New Palace Yard, opposite the entrance of Westminster

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[1] Forster's "Grand Remonstrance," p. 276, note.

[2] Brown's "Amusements," pp. 39–40.

[3] "At Westminster Hall, where Mrs. Lane and the rest of the maids had their white scarfs, all having been at the burial of a young bookseller in the Hall," "Pepys' Diary," 20 January, 1659.

[4] "With cedar roof, and stony wall,
Old William Rufus built this hall;
Without a roof, with scarce a wall,
William Unroof-us spoils it all."

Hawkins's "Biographical Sketches," vol. i. p. 341.

Hall, a huge clock-tower once stood. It had been erected in the reign of Edward I., the cost being defrayed by a fine levied on Sir Ralph de Hengham, Chief Justice of the King's Bench, as a penalty for altering a judicial record in favour of a pauper litigant. In this tower hung a bell, known as "Great Tom of Westminster," whose voice on a clear day could be heard as far away as Windsor.[1] In 1707 both tower and bell were pulled down, the latter being recast and presented to St. Paul's Cathedral where it still hangs.

Near the tower was a fountain from which on great occasions wine was made to flow for the delectation of the populace, while close by stood the pillory in which Titus Oates, John Williams, the publisher of John Wilkes's *North Briton*, and many other offenders against parliamentary privilege, suffered the penalty of their crimes.

Westminster Hall lies nearly due north and south. At its south-east angle, stretching towards the river, stands St. Stephen's Hall, on the site of that famous Chapel, founded by King Stephen and called after his sainted namesake, which was for so long the home of the Commons.

The Chapel was partly destroyed by fire in 1298, but was subsequently restored at great cost by Edward III., who also built an adjacent belfry of stone and timber containing three huge bells which were rung at "coronations, triumphs, funerals of princes, and their obits."[2] After the Reformation the thirteenth century decorations which originally adorned the walls of St. Stephen's Chapel were whitewashed and covered with boards, and the building was given over to Parliament.

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[1] There is a well-known story of a sentry at the Castle who was accused of sleeping at his post, and secured his acquittal by proving that he had heard "Great Tom" strike thirteen times at midnight—a fact which was corroborated by the evidence of independent witnesses.

[2] These bells must have been extremely unpopular, since it was fabled that their ringing "soured all the drink in the town." Stow's "Survey of London," p. 175.

Though the Three Estates originally sat together, they seem to have deliberated separately. Parliament used to meet occasionally in the Priory Church of Blackfriars Monastery, but when the Houses parted company a chamber in the Palace of Westminster was reserved for the Lords, while the Commons retired to the Chapter House of the Abbey. Later on they assembled in or near Westminster Hall—Richard II. held a parliament in a building erected for the purpose outside the Great Hall—and finally, about the year 1550, St. Stephen's Chapel was fixed upon as the regular meeting-place of the Commons.

The Chapel was an oblong building, but half as long and half as broad as Westminster Hall, and most of the floor space was occupied by the Lobby. It was a gloomy and narrow chamber, and what the German traveller Moritz calls "mean-looking." At the western end was a gallery to which members ascended by means of a ladder near the southern window.[1] At the eastern end stood the Speaker's chair, and opposite it the famous bar where so many persons have stood, either as prisoners, witnesses, or patriots. Here Pepys, buoyed up with brandy, appeared to answer the charges that had been brought against the Navy Office in 1667–8. Here, a century and a half later, Mrs. Clarke, the Duke of York's discarded mistress, was examined for two hours on the subject of his alleged corrupt sale of commissions—an ordeal from which she emerged triumphantly. At this bar victorious soldiers, from the days of Schomberg to those of Wellington, have received the thanks of Parliament for the services they rendered to their country. And many a trembling prisoner has stood here to receive sentence or reprimand at the mouth of the Speaker.

On either side of the old House were ranged rows of wooden benches, hard and comfortless, with neither backs nor covering. Not even were Ministers provided with padded seats.

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[1] Speaker Lenthall once rebuked a youthful member who was sitting perched upon the topmost rung, listening to a debate, and bade him come down and not "sit upon the ladder as though he were going to be hanged." Forster's "Historical Sketches," vol. i. p. 82.

> "No satin covering decks th' unsightly boards;
> No velvet cushion holds the youthful Lords;
> And claim illustrious tails such small regard?
> Ah! Tails too tender for a seat so hard!"[1]

St. Stephen's Chapel was in size quite inadequate to the needs of legislators—the only point, perhaps, in which it resembled the present House of Commons. David Hume complained perpetually of the lack of room; while Cobbett cynically referred to it as "the little hole into which we are all crammed to make the laws by which this great kingdom is governed."[2] Lined with dark wainscot and lit by three chandeliers, the gloomy chamber did not impress the stranger with the dignity or splendour of parliaments, and a visitor to St. Stephen's might well have been excused for mistaking the House of Commons for a den of thieves or a crew of midnight conspirators.[3]

As was only natural, the dingy surroundings exercised a detrimental influence upon the manners of members. Moritz was surprised to see many of them lying stretched out at full length on the uncomfortable benches fast asleep, while others cracked nuts or ate oranges. "The many rude things the members said to one another," he observes sadly, "struck me much."[4] Not only was the House squalid and dirty, it was also infested with rats. Speaker Manners Sutton told Thomas Moore that the only time he had ever laughed while occupying the Chair was during a debate in which members of the Opposition had been squabbling fiercely together, when he saw a large rat issue from beneath the front Opposition bench and walk deliberately across to the Treasury side of the House.[5]

The Lobby of St. Stephen's was, if possible, the scene of even greater discomfort and squalor than was the House itself. It was perpetually crowded, not only with members and their servants, but also with the general public, and was "as noisy as a Jews' synagogue." Pearson, for many years head doorkeeper of the Commons, tells us that orange women traded there regularly, selling their wares to thirsty politicians during the sitting of the House. One old woman named Drybutter was a great favourite among a certain class of members, and knew more of their private affairs (we are told) than "all the old bawds in Christendom put together."[1] Another, Mullins by name, "a young, plump, crummy, rosy looking wench, with clean white silk stockings, Turkey leather shoes, pink silk *short* petticoat, to show her ancle to the young bulls and old goats of the House," appealed especially to the more amorous members.

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[1] "The Rolliad."

[2] Dalling's "Historical Characters," vol. ii. p. 175.

[3] Knight's "London," vol. ii. p. 68.

[4] Pinkerton's "Voyages," vol. ii. p. 508.

[5] Moore's "Memoirs," vol. iv. p. 320.

> "Mark how her winning smiles and 'witching eyes
> On yonder unfledg'd orator she tries!
> Mark with what grace she offers to his hand
> The tempting orange, pride of China's land!"[2]

She was said to have killed more men with her eyes and sighs than did many a general with his canister and grape-shot in the American war. Oranges and biscuits were not, as may be imagined, this fascinating creature's sole stock in trade.

In Stuart days the walls of St. Stephen's Chapel were temporarily brightened by the presence of the tapestry which Charles II. hung there. This, however, was taken down in 1706. About a hundred years later, when alterations were being made to provide accommodation for the recently added Irish members, the old thirteenth-century mural paintings were discovered beneath the wainscot. No one, however, seems to have realised their value, and they were carelessly allowed to perish, sharing the fate that befell the curious old tapestries which once adorned the walls of the famous Painted Chamber.

This Painted Chamber, which lay between the two Houses of Parliament, was the original Council Chamber of the Norman kings. Here parliaments were opened, and conferences of both Houses held. Its walls were hung with tapestry on which were depicted various scenes from the Siege of Troy. This was removed at the commencement of the nineteenth century and thrown into a cellar, being subsequently sold in 1820 for the paltry sum of £10, and beneath it was found the series of paintings—representing the Wars of the Maccabees and scenes from the life of Edward the Confessor—from which the Chamber derived its name. It was in this apartment that the death warrant of Charles I. was signed, when Oliver Cromwell and Henry Martin distinguished themselves by childishly blacking one another's faces with ink. Here Charles II. lay in state after his death, as did also Chatham and William Pitt.

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[1] Pearson's "Political Dictionary," p. 37.

[2] "The Rolliad."

Adjoining the Painted Chamber was the room in which the Peers formerly met and sat, and which may therefore be styled the old House of Lords. The Prince's Chamber, afterwards the Robing Room of the Lords, was decorated with elaborate tapestries, of Dutch workmanship, representing the destruction of the Spanish Armada, which had been presented to Queen Elizabeth by the States of Holland, and subsequently sold by Lord Howard to James I. These tapestries were afterwards transferred to the Court of Requests, and, when the greater part of the Palace of Westminster was destroyed by fire in October, 1834, perished in the flames.

It was proposed, in 1834, to find temporary quarters for the Court of Bankruptcy in the old tally-room of the exchequer. For this purpose it became necessary to remove several cart-loads of old "tallies" which had accumulated during past years and were likely to interfere with the arrangements. These tallies were nothing but pieces of wood on which were recorded by a primitive method of notches the sums paid into the exchequer. The system dated from the Conquest, and, though it had been officially abolished in 1783, was still in use as late as 1826. Old tallies were usually burnt on bonfires in Tothill fields or in Palace Yard, but in 1834 some official of an economical turn of mind decided to make use of them as fuel for the stoves of the House of Lords. The workmen engaged upon the work shared with all honest British labourers the desire to finish their job as quickly as possible and get home to their tea. They consequently piled the tallies into the stoves with more energy than discretion, little dreaming of the possible effect upon the overheated furnaces.

At four o'clock in the afternoon of the 16th of October, some visitors who were being shown round the House of Lords observed that the floor was very hot under their feet, and that the Chamber seemed to be half filled with smoke. They were reassured by the officials, and no further notice was taken of their remarks. Two hours later the tallies had done their work, the flues were red-hot, one of the walls was well alight, and flames were seen to be issuing from the windows of the House. The alarm was immediately given. Fire-engines were hastily summoned to the scene, and police and troops assembled in force in Palace Yard.

The appliances for coping with any but the mildest of conflagrations were then altogether inadequate, and it soon became evident that most of the Palace was doomed. Vast crowds had meanwhile gathered to witness the destruction of the parliament building, while peers and members hastened to Westminster to assist in the work of salvage. Hume, who had so often tried to obtain for the Commons a Chamber more suitable to their needs, was one of the first to arrive, and did yeoman service in saving the contents of the House of Commons Library.[1] He was chaffingly accused of being the author of the fire, and, as the ancient home of the Commons rose in smoke to the sky, his friends declared that his motion for a new House was being "carried without a division." Lord Althorp, another interested spectator, cared even less for the preservation of St. Stephen's Chapel than did Hume. "D—— the House of Commons!" he cried, "Save, oh, save the Hall!"[1] His wish was gratified, and Westminster Hall, together with the old House of Lords and the Painted Chamber, was among the few buildings snatched from the flames. St. Stephen's Crypt, situated underneath the old House of Commons, survived not only the fire, but also the subsequent rebuilding.

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[1] A comparatively modern institution which did not exist until the year 1818.

When the flames had at last been extinguished, or had died down from sheer lack of fuel, and the extent of the damage had been ascertained, Parliament assembled once more—the Lords in what remained of their library, the Commons in one of the surviving committee rooms. It was then decided temporarily to fit up the old House of Lords for the use of the Commons, and to relegate the Peers to the Painted Chamber, until steps could be taken to provide the Great Council of the nation with a more suitable home.

In the following year, British architects were invited to submit designs for the new Houses of Parliament, which it was proposed to erect on the site of the old Palace of Westminster, and, in 1836, the design of Charles Barry was selected from some ninety-seven others. With as little delay as possible the work was put into the hands of the successful competitor, and on April, 27, 1840, the first stone was laid without ceremony by the architect's wife.

From that moment until the completion of the building, poor Barry's life was made a burden to him by the continual petty interference of the authorities. Perpetual squabbles arose between the architect and the superintending officials over every point of the construction—even the contract for the manufacture of the clock gave rise to an acrimonious controversy—while the question of expense was a never ending source of worry and difficulty.

Barry's original design had included the enclosing of New Palace Yard, and the building of a huge gate-tower at the angles. He had also proposed to make Victoria Tower the chief feature of a big quadrangle, whence a splendid processional approach should extend to Buckingham Palace.

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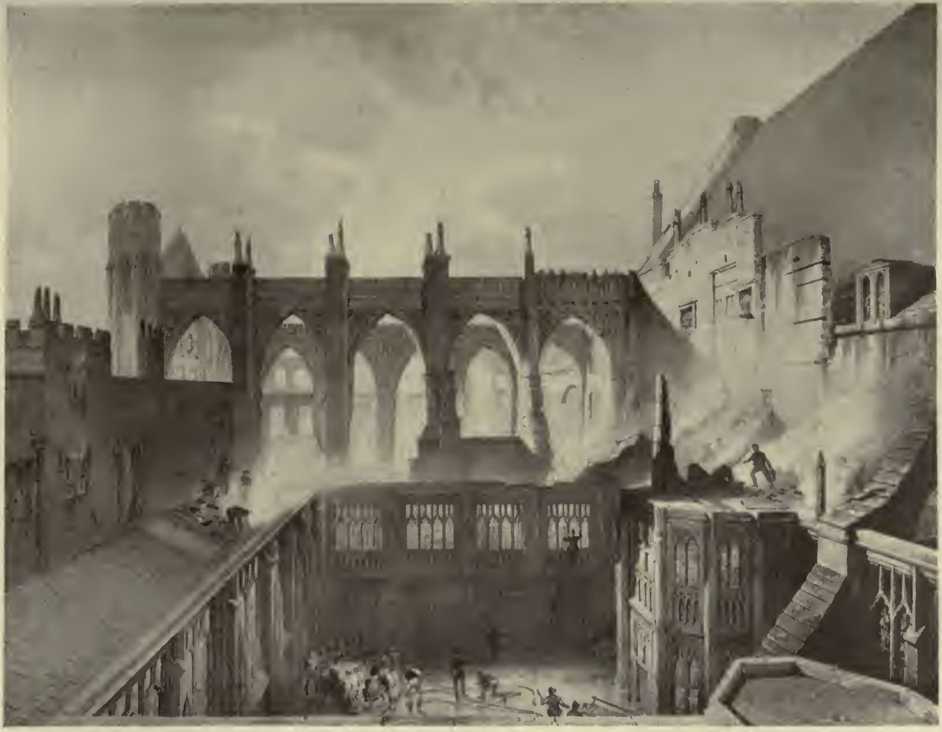
[1] Miss Martineau's "History of the Peace," vol. iii. p. 147.



THE REMAINS OF ST. STEPHEN'S CHAPEL AFTER THE FIRE OF 1834

FROM A LITHOGRAPH AFTER THE DRAWING BY JOHN TAYLOR, JR.

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The cost of such a scheme, however, precluded its execution, and the architect had to content himself with the present magnificent group of buildings, too well known to require detailed description, which form the best possible memorial to Sir Charles Barry's genius.[1]

In 1852 Queen Victoria entered the new Houses of Parliament for the first time, and some eight years later the whole building was completed.

The fire of 1834 proved a blessing in disguise. The ancient congeries of huddled buildings, to which additions had been made in various styles by so many kings, and which went by the name of the Palace of Westminster, had long ceased to provide a suitable home for the Mother of Parliaments. From the ashes of the royal residence arose at length a structure worthy to rank with any legislative building in the world, and adequate to the requirements of that national council which controls the destiny of the British Empire.

Towering above both Houses stands the lofty clock-tower which is one of the landmarks of the metropolis. From its summit "Big Ben"—the successor to "Great Tom of Westminster"—booms forth the hours, while still higher burns that nightly light which shows to a sleeping city that the faithful Commons remain vigilant and at work.[2]

The new Upper Chamber, with its harmonious decorations of gilt and stained glass, its crimson benches, and its atmosphere of dignity and repose, supplies a perfect stage for the leisurely deliberations of our hereditary legislators, and forms a becoming background for such picturesque pageants as the Opening of Parliament.

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[1] Barry was assisted in his work by another well-known artist, Augustus Welby Pugin. The latter's son afterwards claimed for his father the honour of being the real designer of the Houses of Parliament, but his efforts to wrest the laurels from Barry's brow met with little success.

[2] Big Ben was so named after Sir Benjamin Hall, First Commissioner of Works. The light is extinguished by an official in the House of Commons by means of an electric switch, the moment the Speaker's question "that the House do now adjourn" has been agreed to.

The present House of Commons, though too small to accommodate a full assemblage of its members, makes up in comfort for what it may lack in space. The Chamber is illuminated by a strong light from the glass roof above; the green benches are cushioned and comfortable. At one end is the Speaker's chair, and in front of it the table—that "substantial piece of furniture," as Disraeli called it, when he thanked Providence that its bulk was interposed between Mr. Gladstone and himself—upon which Sir Robert Peel used to strike resonant blows at regular two-minute intervals during his speeches. On this table lies the heavy despatch-box which countless Premiers have thumped, and which still bears the impress of Gladstone's signet ring. Here, too, reposes the mace, that ancient symbol of the royal authority.

The mace is, perhaps, the most important article of furniture—if it can be so described—in the House. Its absence or loss is an even more appalling catastrophe than would be the absence of the Speaker. It is possible to provide a substitute for the latter, but there is no deputy-mace, and without it the House cannot be held to be properly constituted. The present mace is engraved with the initials "C. R." and the royal arms, and is the one that was made at the Restoration, to replace Cromwell's "bauble," which disappeared with the Crown plate in 1649. It is kept at the Tower of London when the House is not sitting, and the fact that its absence prevents the conduct of any business has been, on one occasion at least, the cause of grave inconvenience. In the middle of the last century Parliament adjourned for the day in order to attend a great naval review at Spithead, and was timed to meet again at 10 p.m. The special return-train containing members of the House of Commons was run in two portions, and the official who held the key of the mace-cupboard happened to be travelling in the second. As this was an hour late in arriving, the House had to postpone its meeting until eleven at night.[1]

Upon the position of the mace a great deal depends.

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[1] Mowbray's "Seventy Years at Westminster," p. 90.

When the mace lies *upon* the table, says Hatsell, the House is a House; "when *under*, it is a Committee. When *out* of the House, no business can be done; when *from* the table and upon the Sergeant's shoulder, the Speaker alone manages." On the famous occasion in 1626, when Sir John Eliot offered a remonstrance against "tonnage and poundage," when Speaker Finch refused to put the question, and the House almost came to blows, Sergeant-at-Arms Edward Grimston tried to close the sitting by removing the mace. At once a fiery member, Sir Miles Hobart, seized it from him, replaced it on the table, locked the door of the House, and put the key in his pocket, thus excluding Black Rod, who was on his way to the Commons with a message from the king.

The Sergeant-at-Arms is custodian of the mace. Attired in his tight-fitting black coat, knee-breeches, and buckled shoes, with his sword at his side, he carries it ceremoniously upon his shoulder whenever he accompanies the Speaker in or out of the Chamber. He is also, as we shall see, responsible for the maintenance of order within the precincts of the House, and is provided with a chair near the Bar, whence he can obtain a good view of the whole Chamber.

The arrangements made for the convenience and personal comfort of a modern legislator are of the most elaborate and thoughtful kind. Members of the Government, Whips, and the Leader of the Opposition are provided with private rooms in which to do their work. The needs of humbler politicians are no less carefully considered. By means of an intricate system of ventilation the atmosphere of both Houses is maintained at an equable temperature, summer and winter. The very air inhaled by our politicians is so cleansed and rarefied by a system of water-sprays, of cotton-wool screens and ice-chambers, that it reaches their lungs in a filtered condition, free from all those impurities of dust and fog which are part of the less-favoured Londoner's daily pabulum.

The statesman who seeks a momentary relaxation from the arduous duties of the Chamber can find repose in comfortable smoking-rooms where easy-chairs abound. He may stroll upon the Terrace in the cool of the evening, enjoying the society of such lady friends as he may have invited to tea, and watching the stately procession of barges and steamers that flows by him. (Occasionally the barges are loaded with unsavoury refuse, of which his scandalized nostrils are made unpleasantly aware. Sometimes, too, some wag in a passing excursion-boat facetiously bids him return to his work in the House.) Heated by an unusually warm debate, or tired out by a lengthy sitting, he may retire to spend a pleasant half-hour in luxurious bathrooms, whence division bells summon him in vain. His intellectual wants are ministered to in well-furnished libraries, whose courteous custodians are ever ready to impart information, to look up parliamentary precedents, and otherwise to add to his store of knowledge. His inner man is generously catered for by a Kitchen Committee, composed of the gourmets of the House, who choose his wine and cigars, and watch over the cooking of his food with a vigilant and fastidious eye. His meals are appetising and at the same time inexpensive, and, as he sits in the spacious dining-rooms set apart for his use, his mind may travel back with kindly scorn to the days when his political ancestors drank their cups of soup at Alice's coffee-house, munched the homely fare supplied in Bellamy's kitchen, or satisfied their hunger in even simpler fashion on the benches of the House itself. Lord Morpeth, who was a Minister of the Crown in 1840, used always to suck oranges on the Treasury bench during the course of his own speeches. Fox ate innumerable dry biscuits on the hottest nights. David Hume, whose devotion to duty prevented him from leaving his seat in the Chamber, was in the habit of providing himself with a generous supply of pears, which he consumed while his less conscientious colleagues were slaking their thirst in Bellamy's finest port.[1] During a twenty-one hours' sitting in August, 1880, a member (Mr. A. M.

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[1] Francis' "Orators of the Age," p. 212, and Grant's "Random collections," p. 7.

Sullivan) brought a large bag of buns into the House, and enjoyed what Mr. Labouchère called "a palpable supper."[1] The sight of a member of Parliament enjoying an *al fresco* meal under the eye of the Speaker would to-day arouse indignant shouts of "Order!" Even the simple sandwich is taboo in the Chamber of either House, and nothing more solid or more potent than a glass of pure well-water, or perhaps an egg-flip, can be partaken of during debate.

Could Pitt return to the scene of his former triumphs, he would indeed marvel at the splendours of the modern parliamentary restaurant—Pitt, whose thoughts even upon his death-bed are said to have reverted lovingly to the delights of the old House of Commons kitchen. "I think I could eat one of Bellamy's pork pies" were the great statesman's last words as he expired at Putney in January, 1806, and it was no doubt at Bellamy's humble board that he drank many a bottle of that wine for which he entertained so strong a predilection.

Pearson, the famous doorkeeper of the House of Commons, has described Bellamy's as "a damn'd good house, upstairs, where I have drank many a pipe of red port. Here the members, who cannot say more than 'Yes' or 'No' below, can speechify for hours to Mother Bellamy about beef-steaks and pork-chops. Sir Watkin Lewes always dresses them there himself; and I'll be curst if he ben't a choice hand at a beef-steak and a bottle, as well as a pot and a pipe."[2]

Dickens, in his "Sketches by Boz," has left a picture of that old-fashioned eating-room, with the large open fire, the roasting-jack, the gridiron, the deal tables and wax candles, the damask linen cloths, and the bare floor, where peers and members of Parliament assembled with their friends[3] to sit over their modest meals until it was time for a division, or, as Sheil says, "the whipper-in aroused them to the only purpose for which their existence was recognized."

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[1] T. P. O'Connor's "Gladstone's House of Commons," p. 88.

[2] Pearson's "Political Dictionary," p. 19.

[3] "25 April, 1822. Eat cold meat at Bellamy's (introduced by Lambton); and did not leave the House till near two."—Thomas Moore's "Memoirs," vol. iii. p. 346.

Old Bellamy, a wine-merchant by profession, was in 1773 appointed Deputy-Housekeeper to the House of Commons, and provided with a kitchen, a dining-room, and a small subsidy to cover his expenses as parliamentary caterer. After nearly forty years' service in this capacity he was succeeded by his son John, who continued to control the culinary department until well into the last century. Refreshments of a serious kind were not really required by politicians until the days when Parliament took to sitting late at night. In 1848, however, Bellamy's system of supplying members with food was not considered sufficiently adequate, and a select committee was appointed to inquire into it. As soon as Parliament reassembled in the new Palace of Westminster, after the fire, the catering of the House of Commons was taken over by a Kitchen Committee, while that of the Lords was placed in the hands of a contractor.

In the days of the Bellamys the charges for solid refreshments were not really high—the caterer relied very largely for his profits upon the sale of wine—but in comparison with the tariff of to-day they must appear exorbitant. For half-a-crown Bellamy provided his patrons with a meal consisting of cold meat, bread and cheese ; double that sum secured a liberal dinner, which included tart and a salad. Claret cost 10*s*. a bottle, while a similar quantity of port and madeira was to be had for 6*s*. or 8*s*. To-day a member of Parliament can be supplied with a dinner of several courses for the modest sum of 1*s*., and every item on the daily bill of fare is proportionately inexpensive.

Bellamy's was not only the eating-place of Parliament ; it also partook of some of the qualities of the modern smoking-room as a refuge from debate. The sudden concourse of members who came hurrying into the kitchen as soon as a bore rose to his feet in the House has been amusingly described by Sheil in his essay on John Leslie Foster. Poor Mr. Foster seems to have exercised an extraordinarily clearing effect upon the House. The first words of his speech were the signal for a unanimous excursion of his fellows, and he was left in full possession of that solitude which he ever had the unrivalled power of creating. Members hastened to the kitchen where the tiresome voice of the parliamentary bore could not penetrate, and there indulged themselves in conversation, eked out with tea or stronger beverages. "The scene which Bellamy's presents to a stranger is striking enough," says Sheil. "Two smart girls, whose briskness and neat attire made up for their want of beauty, and for the invasions of time, of which their cheeks showed the traces, helped out tea in a room in the corridor. It was pleasant to observe the sons of dukes and marquises, and the possessors of twenties and thirties of thousands a year, gathered round these damsels, and soliciting a cup of that beverage which it was their office to administer. These Bellamy barmaids seemed so familiarized with their occupation that they went through it with perfect nonchalance, and would occasionally turn with petulance, in which they asserted the superiority of their sex to rank and opulence, from the noble or wealthy suitors for a draught of tea, by whom they were surrounded." The unfortunate Irish members, we are told, were regarded with a peculiar disdain, being continually reminded of their provinciality by the scornful looks of these parliamentary Hebes, who treated them "as mere colonial deputies should be received in the purlieus of the State." Dickens, too, describes how one of the waitresses, Jane by name, who was something of a character, would playfully dig the handle of a fork into the arm of some too amorous member who sought to detain her.[1] "I passed from these ante-chambers to the tavern," continues Sheil, "where I found a number of members assembled at dinner. Half an hour had passed away, tooth-picks and claret were now beginning to appear, and the business of mastication being concluded, that of digestion had commenced, and many an honourable gentleman, I observed, seemed to prove that he was born only to digest. At the end of a long corridor which opened from the room where the diners were assembled, there stood a waiter, whose office it was to inform any interrogator what gentleman was speaking below stairs. Nearly opposite the door sat two English county members. They had disposed of a bottle each, and just as the last glass was emptied, one of them called out to the annunciator at the end of the passage for intelligence. 'Mr. Foster on his legs,' was the formidable answer. 'Waiter, bring another bottle!' was the immediate effect of this information, which was followed by a similar injunction from every table in the room. I perceived that Mr. Bellamy owed great obligations to Mr. Foster. But the latter did not limit himself to a second bottle; again and again the same question was asked, and again the same announcement was returned—'Mr. Foster upon his legs!' The answer seemed to fasten men in inseparable adhesiveness to their seats. Thus hours went by, when, at length, 'Mr. Plunket on his legs!' was heard from the end of the passage, and the whole convocation of compotators rose together and returned to the House."[1]

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[1] "Sketches by Boz," p. 109 (1855).

Alas! Bellamy's roaring fire is long extinguished, his candles have burnt down to their sockets, and been replaced by electric light. The comfortable days of lengthy dinners are past and gone, and the modern member has barely time to snatch a hasty meal in the Commons' dining-room ere he returns to the bustle and confusion of the House. Things have indeed changed since the leisurely days when Bellamy could adequately cater for the needs of Parliament. His small staff and humble kitchen would have but little chance of satisfying modern requirements in an age when over a hundred thousand meals are served to members and their friends in the course of a single session.

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[1] Sheil's "Sketches of the Irish Bar," vol. ii. p. 236.

CHAPTER V

HIS MAJESTY'S SERVANTS

PARLIAMENT is not an administrative body. Summoned by the Crown, with its assent it passes laws, gives and takes away rights, authorises and directs taxation and expenditure; but in executive business the Crown acts through Ministers who are not appointed by Parliament, though undoubtedly responsible to it for their conduct.

Alfred the Great called together Councils, which in some ways resembled our present Cabinets or the Privy Council, to consider such measures as were afterwards submitted to the Witenagemot. In William the Conqueror's time the *Curia Regis* was the Great Council which he consulted on questions of State policy. Later on, in Henry I.'s reign, the King formed a smaller consultative body from the royal household, whose duty it was to deal with administrative details, legislation being left in the hands of the National Council.

In Tudor days the Sovereign had almost dispensed with Parliament altogether—in the course of Queen Elizabeth's lengthy reign it was only summoned thirteen times—and the country was governed autocratically by the monarch, with the aid of his Privy Council. This advisory body varied in size from year to year. In Henry VIII.'s reign it consisted of about a dozen members; later on, the number was much increased. In time the Privy Council became too large and cumbersome an assembly to act together without friction, and was gradually subdivided into various committees, to each of which was given some specific legislative function.

In the reign of Edward VI. one of these smaller bodies was known as the Committee of State, and from this has slowly developed the Cabinet to which we are accustomed to-day. When the Great Council of Peers was convened at York in 1640, the Committee of State was reproachfully referred to as the "Cabinet Council,"—from the fact that its meetings were held in a small room in the Royal Palace,—and afterwards as the "Juncto." It consisted of the Archbishop of Canterbury, the Earl of Strafford, and a few other leading men, and met at odd times to discuss important intelligence, the Privy Council only meeting when specially summoned.

James I. acquired the habit of entrusting his confidence to a few advisers, and his successors followed suit. The inner council, or cabal, thus originated, was the cause of much parliamentary jealousy and popular suspicion. After the fall of Clarendon in 1677, and of Danby twelve years later, Charles II. promised, in accordance with the general desire, to be governed by the Privy Council, and to have no secrets from that body. It soon became evident, however, that the King had no intention of keeping his promise, and the Remonstrance of 1682 complained that great affairs of State were still managed "in Cabinet Councils, by men unknown, and not publicly trusted."

In Stuart days the Commons had grown in strength from year to year, and the Privy Council had weakened proportionately, though it had increased in size. Besides being so unwieldy as to be impracticable for administrative purposes, it was largely composed of men who were not in any way fitted for the post of responsible advisers. Naunton, writing of Elizabeth's day, observed that "there were of the Queen's Councell that were not in the Catalogue of Saints."[1] And much the same criticism would apply to the Privy Councillors of Stuart times. The inner Cabinet, therefore, gradually assumed all the more important functions of the Legislature, and eventually became the ruling power in the State.

[1] "Fragmenta Regalia," p. 23.

In the time of Charles II. the Ministry was not a united body, but was composed of men of different political opinions, each of whom held his office at the King's pleasure. The Cabinet long remained, therefore, in a disorganised and subordinate condition, largely dependent upon the royal will. Under the Tudors and Stuarts, Ministers were the masters or servants of the Crown, according as the Sovereign was a weak or a strong one. They did not necessarily sit in Parliament, nor did they act together in response to the views of a parliamentary majority. The Cabinet itself consisted of an inner group of responsible advisers and an outer circle of members with whom they often differed fundamentally. There was no need for unanimity of political thought in the Cabinet of those days, so long as its members were unanimous in their subservience to the King.

After the Revolution of 1688, however, the powers of the Crown were limited and those of Parliament extended. Ministers now customarily sat in Parliament, and gradually acquired unanimity of thought and purpose, working together with common responsibility and for common interests.[1] The Cabinet thus became what Walter Bagehot calls a "combining committee—a hyphen which joins, a buckle which fastens, the legislative to the executive part of the State"—and remained an essentially deliberative assembly, as opposed to the Privy Council, or administrative body.

William III. had begun by convening mixed Cabinets of Whigs and Tories, but in 1693 he determined to appoint Ministers all of one party, and in two years his Cabinet was entirely composed of Whigs. This example was followed by his successor, though unwillingly, and the Cabinet system, as we understand it to-day, may be said to date from the moment when Godolphin forced Queen Anne to accept Sunderland, and, later, to remove Harley, in accordance with the views expressed by the country at elections.

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[1] It is not absolutely necessary for a Cabinet Minister to sit in either House. Gladstone was a Secretary of State from December 1845, to July, 1846, without a seat in Parliament.

By this time Parliament had learnt to tolerate the idea of a Cabinet, and the word itself appears for the first time officially in the Lords' Address to the Queen in 1711. In that year a lengthy debate took place on the meaning of the words "Cabinet Council," several peers preferring the term "Ministers." Among the latter was the Earl of Peterborough, who declared that sometimes there was no Minister at all in the Cabinet Council. He seems to have regarded the members of the Privy Council and of the Cabinet with equal contempt. The Privy Councillors, he said, "were such as were thought to know everything and knew nothing, and the Cabinet Councillors those who thought that nobody knew anything but themselves."

When Walpole was Prime Minister, the country was governed by three bodies—the Great Council, somewhat similar to the modern Privy Council; the Committee of Council, a smaller assembly which met at the Cockpit in Whitehall, and seems to have concerned itself chiefly with foreign affairs; and the Cabinet.

The members of the Cabinet varied in number from eight to fourteen, and included the Great Officers of the Royal Household. In April, 1740, for instance, it consisted of the Archbishop of Canterbury, the Lord Chancellor, the Lord President of the Council, the Lord Privy Seal, the Lord Steward, the Lord Chamberlain, the Master of the Horse, the Lord Lieutenant of Ireland, two Secretaries of State, the Groom of the Stole, the First Minister for Scotland, the Chancellor of the Exchequer, the First Commissioner of the Admiralty, and the Master of the Ordnance. Besides these, the Duke of Bolton was also included, for the somewhat inadequate reason that "he had been of it seven years ago."[1] As such an immense body must have been quite unmanageable from a business point of view, there also existed an interior council, consisting of Walpole, the Lord Chancellor, and the two Secretaries of State, who consulted together, in the first instance, on the more confidential points, and

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[1] Hervey's "Memoirs of George II.," vol. ii. p. 551.

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reported the result of their deliberations to the rest of the Cabinet.

The size and composition of a Cabinet is a question which has always been left entirely to the discretion of the Prime Minister. In 1770 and 1783, when Lord North and Pitt were Premiers, the number was reduced to seven. Later on, this was increased; but Lord Wellesley, in 1812, expressed his conviction that thirteen was an inconveniently large number, and Sir Robert Peel, some twenty years later, declared that the Executive Government would be infinitely better conducted by a Cabinet composed of only nine members.

Among His Majesty's advisers in Georgian days, and earlier, peers usually preponderated. The younger Pitt was the only Commoner in his first Cabinet. Nowadays both Houses are suitably represented.

There is no definite rule laid down as to which posts in the Administration carry with them a seat in the Cabinet; but the First Lord of the Treasury, the Chancellor of the Exchequer, the First Lord of the Admiralty, the Lord President of the Council, the Lord Privy Seal, and the Lord Chancellor are invariably included. Statesmen who hold no office at all, as we have seen in the case of the Duke of Bolton, have occasionally been given a seat. Hyde, afterwards Lord Clarendon, sat in Charles I.'s Cabinet without office; and, later on, Lord Fitzwilliam, the Duke of Wellington, and Lord John Russell were each accorded a similar privilege. Lord Mansfield, on his elevation to the seat of the Lord Chief Justice, in 1756, became a member of the Cabinet, and did not cease to take part in the discussions until 1765. The precedent he thus created was afterwards cited in the case of Lord Ellenborough, another Lord Chief Justice, who was admitted to the Cabinet of "All the Talents" in 1806. By this time, however, the inclusion of any but the actual holders of parliamentary offices was considered unusual, and it has never been repeated.

Cabinet meetings in Charles II.'s time were first of all held twice a week, and then on Sunday evenings. It was long customary for the Sovereign to be present, and Queen Anne presided regularly over these Sunday gatherings. Indeed, the absence of the King from Cabinet meetings did not occur until the time of George I., and only arose from that monarch's inability to speak English. Since his day, however, no Sovereign has thought it necessary, or even politic, to attend.

Besides the regular official meetings of the Cabinet, informal gatherings of Ministers were occasionally convened. Walpole used often to invite a few colleagues to dinner to discuss the affairs of the nation, and in the Aberdeen Government a Cabinet dinner was held weekly.[1] After the tablecloth had been removed, and the port began to circulate, measures of State were agitated and discussed, and questions of policy decided upon. Whether Ministers were always in a condition fit for the consideration of such grave topics is a matter of doubt. Lord Chancellor Thurlow sometimes refused to take part in these post-prandial discussions. "He has even more than once left his colleagues to deliberate," says Wraxall, "whilst he sullenly stretched himself along the chair, and fell, or appeared to fall, fast asleep."[2]

The Cabinet no longer meets on Sundays, and the practice of holding weekly dinners has been given up. It has no regular times of assembling, but can be summoned at any moment when the Prime Minister wishes to consult his colleagues. It is not necessary for all the members of the Cabinet to be present, as no quorum is needed to validate the proceedings, nor is there any rule laid down as to the length of a Cabinet meeting, which may last from a brief half-hour to as much as half a day.[3]

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[1] "Our immemorial Cabinet Dinner was at Lord Lonsdale's," writes Lord Malmesbury, on March 17, 1852. "Each of us gives one on a Wednesday."—"Memoirs of an Ex-Minister," vol. i. p. 321.

[2] Wraxall's "Memoirs," vol. i. p. 527.

[3] "Granville dined at the Lord Chancellor's yesterday," wrote Lady Granville to the Duke of Devonshire, on November 8, 1830, when the question of the postponement of the King's visit to the city was filling the minds of Ministers. "The Chancellor came in after they were all

The chief point with regard to Cabinet meetings is their absolute secrecy. No minutes are kept, no secretary or clerk is present, and only in exceptional circumstances is some private record made of any matter that may have been discussed. The meetings are usually held at No. 10, Downing Street, the official residence of the Prime Minister, or occasionally at the Foreign Office, a practice instituted by Lord Salisbury when he was Foreign Secretary, his Cabinet being so large that the room in Downing Street could barely contain it.

In George II.'s time, No. 10, Downing Street—called after Sir George Downing, a statesman of Charles II.'s day, whom Pepys styles "a niggardly fellow"—belonged to the Crown, and was the town residence of Bothmar, the Hanoverian Minister. On the latter's death, King George offered the house to Walpole as a gift. The Prime Minister declined it, however, and suggested that it should henceforward accompany the offices of the First Lord of the Treasury and the Chancellor of the Exchequer. Externally the Prime Minister's house is not a very imposing structure, but the traditions attached to it as the official residence of so many eminent Englishmen enchance its value in the eyes of its occupants and of the public.

Here, then, the Cabinet assembles to discuss the problems of Empire, whose solution at times of stress the country awaits with such breathless interest. Here the Prime Minister presides over that assembly which, however internally discordant, must ever present an harmonious and united front to the public. The decisions arrived at by "His Majesty's Servants"—no longer known as the "Lords of the Cabinet Council," as in olden times—must always be presumably unanimous. Each Minister is held responsible for the opinions of the Cabinet as a whole. His only escape from such responsibility lies in resignation, in either sense of that word. The defending and supporting in public of what they are really opposed to in private,

seated from a Cabinet that had lasted five hours, returned to be at it again till two, and the result you see in the papers."—Lady Granville's "Letters," vol. ii. p. 63.

is the common practice of Ministers. It is thought that one man's scruples should yield to the judgment of the many, and "minorities must suffer" that Governments may be carried on and Ministries remain undivided.[1] There is a well-known story of Lord Melbourne's Ministry which illustrates this point. The Government had proposed to put an eight-shilling duty on corn. Melbourne, who was strongly opposed to the tax, found himself out-voted and overruled by the other members of the Cabinet. At the end of the meeting he put his back against the door. "Now, is it to lower the price of corn, or isn't it?" he asked. "It doesn't much matter what we say, but mind, we must all say the same!" In 1860, again, Lord Palmerston as Prime Minister was in favour of the House of Lords throwing out the Paper Duties Bill, which was the measure of his own Chancellor of the Exchequer.

It is not perhaps easy to imagine a modern Premier being placed in a situation similar to that of either Lord Melbourne or Lord Palmerston. He must necessarily, to a certain extent, have the whip hand of the Cabinet. For if several of his colleagues disagree with him on a question of principle, and resign, he can generally appoint others; whereas, if he resigns, the whole Ministry crumbles and falls to pieces.

The Prime Minister nowadays has indeed acquired a position which is almost that of a dictator. In many ways his power is absolute and his will autocratic. More especially is this true as regards his dealings with the Crown. In olden days he was the servant and creature of the sovereign. He had no voice in the selection of his colleagues; he acted merely as His Majesty's chief adviser, and, as such, was liable to instant dismissal. When Pelham resigned in 1746, because he could no longer agree with the King, he was acting in a fashion that was then unprecedented. Before that time, a Prime Minister whose views did not coincide with those of his sovereign, was summarily dismissed. Many kings had, indeed, been in the habit of themselves undertaking the duties of Prime Minister—Charles II. delighted in referring to himself as his own *Premier Ministre*, though he was far too indolent to perform the work of that official—and merely looked upon their chief adviser as a convenient channel of communication between themselves and Parliament.

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[1] See Speaker Onslow's "Essay on Opposition," "Hist. MSS. Commission" (1895), App. ix. p. 460.

It was not until the eighteenth century that a Premier of the modern type came into existence. With the development of the party system, the gradual growth of the Cabinet's prestige, and the consequent weakening of the sovereign's prerogatives, the Prime Minister ceased to be the choice of the Crown, and became the nominee of the nation. As the leader of the party in office, he acquired the unquestioned right of selecting his own Ministers. To-day, though the King still nominally chooses his Prime Minister, little individual freedom is left to the sovereign, who is guided in his choice by the advice of the outgoing Premier and his interpretation of the wishes of the country.

For a very long time the very name of Prime Minister stank in the nostrils of the public and of Parliament. The word "Premier" was used in 1746,[1] but as late as 1761 we find George Grenville in a debate in the Commons declaring "Prime Minister" to be an odious title. The holder of it long occupied an anomalous position. Legally and constitutionally he had no superiority over any other Privy Councillor. Eight members of the Cabinet took precedence of him, by virtue of office—a fact which naturally resulted in situations puzzling to the lay mind—the exact rank of the Prime Minister being apparently impossible to define. When Lord Palmerston visited Scotland in 1863, the commander of the naval guardship was very anxious to receive that distinguished statesman with all the ceremony befitting his exalted position. On the subject of salutes due to a Prime Minister the naval code-book unfortunately maintained an impenetrable silence, and gave the officer no information as to how he should act. He eventually solved the difficulty in a thoroughly tactful manner by giving Palmerston the salute of nineteen guns which were due to him as Lord Warden of the Cinq Ports.[1] Mr. Gladstone, who was ever most punctilious in matters of etiquette, always resolutely declined to leave a room in front of any person of higher social rank, and many a youthful peer vainly endeavoured to induce the aged Prime Minister to precede him.

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[1] Coxe's "Pelham Administration," vol. i. p. 486.

The Prime Minister continued to occupy an ambiguous position until quite recently. It was not, indeed, until the close of Mr. Balfour's Premiership that his proper precedence was recognised. Matters were simplified, however, when he held some ministerial office, as First Lord of the Treasury, Lord President of the Council, or Foreign Secretary, whereby he became entitled to an adequate salary and an assured, if inadequate, precedence.

Sir Robert Walpole, who held the Premiership for twenty-one years—though not consecutively[2]—was the first Prime Minister in the modern sense of the word, the first to sit in the Commons, and the first to resign because of an adverse vote of Parliament.

Walpole was in many ways a model Premier. Though not, indeed, as incorruptible as Harley, he yet possessed many of the qualities which contributed to that statesman's success.[3] It was not genius, it was not eloquence, it was not statesmanship that gave Harley his astounding power in Parliament, as

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[1] Ashley's "Life of Palmerston," vol. ii. p. 233.

[2] Walpole was First Lord of the Treasury for more than twenty-one years, but Macaulay says that he cannot be called Prime Minister until some time after he had been First Lord.—"Miscellaneous Writings," p. 359.

[3] Walpole distributed government patronage freely among the members of his own family. His relations held offices worth nearly £15,000 a year, and, two years after he relinquished office, his own places brought him in an annual income of £2000. He made his eldest son Auditor of the Exchequer, and his second son Clerk of the Pells. He gave his son Horace two posts, as Clerk of the Estreats and Comptroller of the Pipe, when the boy was still an infant. Later on he gave him a position in the Customs, and lastly made him Usher of the Exchequer, an office worth about £1000 a year. See "Memoirs of Sir Robert Walpole," vol. i. p. 730; Cunningham's "Letters of Horace Walpole," vol. i. pp. lxxxiv. and 314.

Forster has remarked ; it was "House of Commons tact." Sir Robert Peel, Lord John Russell, and Disraeli each understood that art of "managing Parliament," which is probably of far greater value to a Prime Minister than either virtue or eloquence. Lord Rockingham, George Grenville, and Lord Bute—the last uttering his words with hesitation and at long intervals, causing Charles Townshend to liken them to "minute-guns"—each lacked that power of oratory for which another Premier, Lord Derby, the "Rupert of debate," was more famous than for any intellectual ability." Lord Castlereagh had a great influence with his party, and was a most successful leader of the House of Commons. Yet he was a shocking speaker, tiresome, involved, and obscure.[2] On one occasion he harangued the House for an hour, during no single moment of which could any of his hearers make out what on earth he was driving at. "So much, Mr. Speaker, for the law of nations!" he finally exclaimed, as he prepared to turn to other matters.

Parliament will, indeed, put up with a great deal from a Minister whose honesty is unquestioned, and who has sufficient common-sense not to blunder at a moment of crisis. Nowadays, however, no man who was utterly lacking in ordinary power of speaking would be given a place on the front bench. A talent for debate may not necessarily be a gauge of a man's capacity as a Minister, but only in debate can he show his powers. His success in Parliament is a test of intellect, for there, at any rate, he cannot conceal departmental ignorance. But it requires judgment, ability, and tact to become a leader. Charm and personal magnetism are the qualities that endear a man to his followers. A kindly word, a smile, or a glance of recognition will often win the affection of a

[1] "My father would be a very able man—if he knew anything," Lord Stanley is supposed to have said of him. Hutton's "Studies," p. 48.

[2] "He evidently attempts to imitate Mr. Pitt in his manner and rhetorick; but the clumsy attempts of a heavy domestic fowl to take wing are very different from the vivid and lofty soaring of the lark." Courtney's "Characteristics," p. 42.

supporter more surely than the most eloquent speech, and it was in this respect that Lord John Russell, Gladstone, and Lord Salisbury, either from shortness of sight or absence of mind, failed. The same qualities which young Grattan considered necessary for a successful leader of Opposition may also prove invaluable to a Prime Minister. "He must be affable in manner, generous in disposition, have a ready hand, an open house, and a full purse. He must have a good cook for the English members, fine words and fair promises for the Irish, and sober calculations for the Scotch."[1] He must, indeed, be a man who breeds confidence and inspires affection among his subordinates.

Men in the House of Commons, as Bolingbroke said, "grow, like hounds, fond of the man who shows them sport, and by whose halloos they are used to be encouraged." If, in addition, the Prime Minister possesses singleness of purpose and supreme self-confidence, his power in Parliament is supreme. The "Great Commoner" owed his political success as much to his courage and assurance as to his splendid gifts as an orator. "I know that I can save the country," he once observed to the Duke of Devonshire, "and I know that no other man can!"[2] The Duke of Cumberland, a political adversary, described him very justly when he said that he was "that rare thing—a man!" His position in the House of Commons was in many ways unique. His very presence seemed to instil fear into the hearts of his opponents, and promote confidence in those of his supporters. A member named Moreton, Chief Justice of Chester, in a speech in the Lower House, once made some allusion to "King, Lords, and Commons, or, as that Right Honourable Member"—looking across at Pitt—"would call them, Commons, Lords, and King!" The Prime Minister rose at once in that slow dignified manner which always commanded silence, and, fixing the speaker with a cold and terrifying gaze, asked the Clerk of the House to make a note of Moreton's words. "I

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[1] Grattan's "Life and Times," vol. v. p. 417.

[2] Hayward's "Biographical Essays," vol. ii. p. 39.

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CHATHAM

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have heard frequently in this house doctrines that have surprised me," he said; "but now my blood runs cold!" Moreton, in some alarm, hastened to apologise for his ill-chosen words, saying that he had intended nothing offensive. "King, Lords, and Commons; Lords, King, and Commons; Commons, Lords, and King—*tria juncta in uno!* Indeed, I meant nothing!" he explained. Pitt gravely accepted this apology, but took the opportunity of giving the trembling Moreton some very sound advice. "Whenever that honourable gentleman means nothing," he said, in his sternest and most frigid tones, "I strongly recommend him to say nothing!"

The terror he inspired among his opponents was shown on another occasion when he replied to an attack of Murray, the Solicitor-General, afterwards Lord Mansfield. "I must now address a few words to Mr. Solicitor," said Pitt; "they shall be few, but they shall be daggers!" Murray at once became much agitated. "Judge Festus trembles," continued Pitt relentlessly, pointing his finger on him. "He shall hear me some other day." He sat down, Murray made no reply, and a languid debate showed the paralysis of the House.[1]

It was not only in Parliament that Pitt's power made itself felt, or that his words were received with a kind of reverential awe bordering on terror. Government officials knew well that he was not a man to be trifled with, or, if they did not know it, he soon found occasion to bring the fact to their notice. Once, when he had sent a message to the Admiralty saying that the Channel Fleet was to be got ready to sail on the following Tuesday, the Board of Admiralty respectfully replied that such a thing was an impossibility; the time was too short. The Prime Minister drily rejoined that in that case he would recommend the King to name a new Board of Admiralty. Needless to say, the Channel Fleet sailed on Tuesday.[2]

Pitt, indeed, possessed all the attributes of a successful Prime Minister. He was himself infused with a fervid enthusiasm which he could transmit into the hearts of all who shared his confidences. His courage was infectious. No man, said Colonel Barré, could come out of the Minister's private room without feeling himself braver than when he entered. He was gifted with a serene composure, a perfect self-possession, and understood the House of Commons as well as did Disraeli after him, and as well as Lord Salisbury understood the Lords.

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[1] Butler's "Reminiscences," pp. 154–157.

[2] Russell's "Recollections," p. 263.

Both these two last statesmen possessed that polished style, dry humour and sarcasm which are beloved of parliamentary audiences. Disraeli was the more ornamental speaker of the two, but seldom wasted time in rhetoric, and, like Lord North, never weakened his argument by superfluous declamation. One of the secrets of his success was that he knew when to keep silent—knowledge that is of infinite importance to a Prime Minister. Gladstone—great as a Premier, and still greater as Chancellor of the Exchequer—could not always stay his speech. His earnestness and enthusiasm carried him away, and he thereby often dissipated in debate those powers which his rival was reserving for great occasions. Lord Salisbury adopted a studiously common-place tone in the House; he did not orate, he talked confidentially And Parliament has always preferred this quiet fashion of speaking, to what Dizzy once called the "somewhat sanctimonious eloquence" of Gladstone. Lord Palmerston's jaunty manner was far more popular than the exuberant eloquence of greater orators. People said that they preferred his "ha! ha!" style to the wit of Canning or the gravity of Peel.

The Premiership is not a bed of roses, and it requires the phlegm of a Lord North to sleep there at all. It is, no doubt, the pinnacle of political ambition, but from that giddy height many a statesman has looked down with envy, like St. Simon on his column, at the groundlings who walk securely beneath his feet. Elevation brings with it many disadvantages. The searchlight of public opinion beats relentlessly upon a Prime Minister; even his private life is open to criticism. Enemies lay snares for him on every side; friends and political allies have to be treated with tact and tenderness; his labours never cease, day or night.[1] It is his duty, as Gladstone said, "to stand like a wall of adamant between the people and the sovereign," and the burden of an Empire hangs heavy upon his shoulders. From the very moment of a Prime Minister's appointment his responsibilities commence. Entrusted by the sovereign with the delicate duty of forming a Ministry, he is at once faced with a task of exceptional difficulty. Whom shall he choose? This problem awaits his instant solution. Luckily, as Bagehot says, the position of most men in Parliament forbids their being invited to the Cabinet, while that of a few men ensures their being invited.[2] Between the compulsory list, whom he must take, and the impossible list, whom he cannot take, a Prime Minister's independent choice is not very large; it extends rather to the division of the Cabinet offices than to the choice of Cabinet Ministers.

This distribution of places is, however, an invidious duty; there are so many reasons governing a Premier's choice of his colleagues. Valuable services to the party have to be rewarded; the claims of men who have held Cabinet rank in former Governments cannot be disregarded; the wishes of the Sovereign must be considered.[1] To satisfy all who expect office is impossible; to satisfy the few who deserve it is a laborious and not altogether grateful business. The statesman whom it is proposed to appoint as Minister for War may yearn for the Lord Chancellorship; the prospective President of the Board of Trade desires to become Irish Secretary. It is for the Prime Minister, by coaxing or entreaties, to content them both. But there are less pleasant duties than this to perform. Certain ex-Cabinet Ministers who have not proved a success in their various departments must be shelved with as little damage to their feelings as possible; salves in the form of peerages must be administered to other aggrieved politicians who have been left out. At times ex-Ministers who are no longer members of the Cabinet have shown signs of disinclination to retire. In 1801, for instance, when Addington became Prime Minister, Lord Loughborough, who had been Chancellor in Pitt's administration, resigned the Great Seal, but continued to attend Cabinet meetings, and Addington was eventually compelled to write and ask him to deprive the Cabinet of the pleasure of his distinguished presence.[2]

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[1] Among the unpublished manuscripts at Welbeck Abbey are some private notes made by the Duke of Portland, who was Prime Minister in 1783, suggesting methods of treatment suitable for various political allies at the time of the Coalition Ministry. The following extracts are of interest:—

"Lord Salisbury. Irish jobs.

Lord Thanet. Personal attention.

Lord Cornwallis. Should be spoken to: has two members in the House of Commons.

Lord Clarendon. Anything for himself or Lord Hyde.

Lord Wentworth. Wants something. He voted against.

Duke of Argyle. Great attention. Scotch jobs.

Gen. Luttral. To be sent for next session. Lord Temple should not be allowed all the merit of the job that we done for him lately.

Gen. Vaughan. Quebec, or a Command anywhere.

Lord Westcote. Distant hopes of a Peerage.

Mr. Gibbon. Will vacate his seat for an employment out of Parliament: very much wished by Lord Loughborough."

(N.B.—This Gibbon is the historian.)

[2] "Fortnightly Review," No. 1, p. 10.

The manner of appointing a Minister, as also the manner of acquainting a colleague that his services are no longer required, varies with different Premiers. One may be as curt in his methods of appointment as another is in his mode of dismissal. Walpole and North provide excellent examples of this. On the death of Lord Chancellor Talbot in 1736–7, Walpole offered the Great Seal to Lord Hardwicke who was then Lord Chief Justice. The latter hesitated about accepting the office, until one day the Prime Minister impatiently informed him that unless he made up his mind without any further delay, the Seal would be given to Fazakerley, another famous lawyer. Hardwicke remonstrated that Fazakerley was quite unfit for the post of Lord Chancellor, being both a Tory and a Jacobite. "Never mind," replied Walpole, pulling out his watch. "It is now exactly noon. If you do not let me know that you have closed with my offer before eight o'clock this evening, I can only tell you that, by twelve, Fazakerley will be as good a Whig as any man in His Majesty's dominions!" Hardwicke hesitated no longer.[1]

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[1] The necessity of pleasing George III. compelled many Prime Ministers to include his friend Addington in their administrations, and inspired Canning to remark that this Minister was like the small-pox, which everybody was obliged to have once in their lives.

[2] Campbell's "Lives of the Chancellors," vol. v. p. 327.

Lord North's method of dismissing Fox from his Cabinet in 1774 was no less peremptory. "Sir," wrote the Prime Minister, "His Majesty has thought proper to order a new commission of the Treasury to be made out, in which I do not perceive your name."[2]

It is seldom that a Prime Minister can give complete satisfaction in the formation of a Ministry, though the task is perhaps lightened by the fact that the possession of rare ability is not an absolute necessity for a Cabinet Minister.

In 1851 the Prince Consort sent Lord Derby the examination papers which Prince Alfred had been set when he passed as a naval cadet. "As I looked over them," wrote the Prime Minister in his reply, "I couldn't but feel very grateful that no such examination was necessary to qualify Her Majesty's Ministers for their offices, as it would very seriously increase the difficulty of framing an administration!"

A curious list, as Macaulay suggested, could be made out of successful Lord Chancellors ignorant of the principles of equity, and of First Lords of the Admiralty ignorant of the principles of navigation. Sheridan even went so far as to say that a competent knowledge of the Rule of Three was a sufficient qualification for the Chancellorship of the Exchequer. Fox never understood what was meant by Consols. He only knew them to be things which rose and fell, and he was delighted when they fell, because, as he said, it annoyed Pitt so much. Lowe, who took a gloomy view of his office,[1] always admitted that he was "a bad hand at figures," and his financial statements as Chancellor were both obscure and unintelligible. Lord Randolph Churchill, too, when he was at the Treasury, is always supposed to have remarked to a clerk who brought him a list of decimal figures, that he "never could understand what those d——d dots meant!"

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[1] "Life of Eldon," vol. iii. p. 486.

[2] "History of the Political Life of C. J. Fox," pp. 76-7.

Government departments are to a great extent run by the permanent officials. As Sir George Lewis, himself successively Chancellor of the Exchequer, Home Secretary, and Minister for War, justly observed, it is not the business of a Cabinet Minister to work his department. His business is to see that it is properly worked. If he does too much, he is probably doing harm. The permanent staff of the office can do what he chooses to do much better than he, or, if they cannot, they ought to be removed. Strength of purpose, quickness of decision, and a good supply of sterling common-sense are worth more to a Minister than mere technical knowledge.[2]

Besides the appointment of his colleagues, the Prime Minister also has in his patronage a number of posts in the Royal Household, which become vacant when an Administration changes. These are not so difficult to fill, and are usually distributed among members of the House of Lords, who are thus bound to their party by ties even stronger than those of sentiment.[3]

The actual Ministry consists of over forty persons, of whom perhaps a quarter form the Cabinet.[4] The annual cost to the country in ministerial salaries is well under £200,000, and cannot therefore be considered excessive, considering the delicacy of the administrative machine, the efficiency with which it is run, and the amount of work that has to be accomplished.

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[1] "The Chancellor of the Exchequer exists to distribute a certain amount of human misery," he once remarked, "and he who distributes it most equally is the best Chancellor."

[2] See Bagehot's "English Constitution," p. 200.

[3] Among the offices in the Royal Household which are filled by the Prime Minister, the most important are those of the Master of the Horse, the Lord Steward, the Lord Chamberlain, the seven Lords in Waiting, and the Mistress of the Robes.

[4] A complete list of the salaries and offices of Ministers does not lie within the scope of this volume. It will be sufficient to enumerate briefly the most important members of the administration. First in order of

The labours of Cabinet Ministers have increased enormously in modern times. This is perhaps one of the reasons why they no longer deem it necessary to attend debates as regularly as their predecessors. In Disraeli's time all the members of the Cabinet sat on the Treasury Bench throughout a debate, and listened attentively to every speech. It was considered obligatory upon the Leader of the House to be present perpetually in his place in Parliament. Neither Gladstone nor Disraeli would have thought of leaving the Chamber, except for a hurried dinner, until the House rose. The sittings have become so lengthy of late that it would be impossible for any Minister thus to give up his whole time to debate. Ministers are consequently provided with private rooms within the precincts of the House, whither they betake themselves as soon as question time is over, leaving one or two of their number to act as sentinels.

The cup of a young politician's happiness is filled to the brim on that glad day when he is offered a post in the Ministry. It does not actually overflow until he has been

precedence stand the Prime Minister, the Lord High Chancellor, the Lord President of the Council, the Lord Privy Seal (an office to which, like that of the Prime Minister, no salary is attached), and the First Lords of the Treasury and Admiralty. After these come the five Secretaries of State: for Home Affairs, Foreign Affairs, the Colonies, War, and India. These are followed by the Chancellor of the Exchequer, the Secretaries for Scotland and Ireland, the Postmaster-General, the Presidents of the Board of Trade, Local Government Board, Board of Agriculture, and Board of Education, the Chancellor of the Duchy of Lancaster, and the First Commissioner of Works. There are, besides, eight Parliamentary Under-Secretaries, four Junior Lords of the Treasury (one of whom is unpaid), a Patronage Secretary, a Financial Secretary, a Paymaster-General, Attorney-General, and Solicitor-General. Scotland is represented by a Lord-Advocate and a Scottish Solicitor-General; Ireland by a Lord-Lieutenant, a Lord Chancellor, an Attorney-General, and a Solicitor-General.

given a seat in the Cabinet itself. Should such success attend him, the summit of his ambition is within sight. In imagination he sees the mantle of Walpole descending upon his shoulders. Before his eyes stretches a vista of political splendour which only reaches a glorious conclusion when the vaults of Westminster Abbey open to receive his ashes. There is but one fly in the ointment. A member of the House of Commons who is appointed to ministerial office has perforce to submit himself once more to the judgment of the electors, and beg his constituents to return him again to Parliament. This rule is some two centuries old, and was designed to prevent the corruption of unworthy members who might otherwise be bought by the offer of lucrative Crown appointments.[1] It is no longer of any practical value for this purpose, and so tiresome a practice, entailing as it does much hardship and expense upon a newly created Minister, could well be abolished. Old customs die hard, however, and nowhere do they take so "unconscionably long a time a-dying" as in Parliament.

The ratification by the sovereign of the Prime Minister's choice in the matter of colleagues is a brief but not unimposing ceremony. To each of the three Secretariats of State there belongs a seal which is the outward and visible sign of the authority attaching to the post. When a Government goes out of office and a fresh Ministry is appointed, the seals are delivered up in person to the sovereign by the outgoing Ministers. His Majesty then hands them to the members of the new Administration, who receive their badges of office in a suitably humble attitude, on their knees, and kiss the royal hand that confers these favours.

The seals of office have been the unconscious cause of more indifferent puns than any other parliamentary institution. Statesmen who have never previously been guilty of a sense of humour, and have otherwise led blameless lives,

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[1] Exceptions are made by Statute in favour of the Secretary of the Treasury and some other officers, or of a Minister who is transferred from one office to another in the same Administration.

A CABINET MEETING
(THE COALITION MINISTRY OF 1854)
FROM THE DRAWING BY SIR JOHN GILBERT

UNIV. OF CALIFORNIA

seem unable to refrain from making little jokes on the subject of seal fisheries—jokes which their biographers affectionately enshrine as epigrams in their published Lives.[1] We have fortunately outgrown such humour as this, and puns are nowadays only to be found elsewhere among the *obiter dicta* of our judges and magistrates upon their respective benches.

The Ministry is now formed. The Prime Minister moves into Downing Street; his colleagues hasten to make themselves acquainted with the work of their various departments. The parliamentary concert is about to commence, and it is for the Premier as leader of the Government orchestra to keep his band together as best he may. This is no easy task. A single false note may mar the harmony of the whole performance; the failure of one solitary instrumentalist may cause the dismissal of the entire band. It is the conductor's duty to see that his orchestra plays in unison, or, if not in unison, at least in harmony. He must keep a watchful eye upon each individual, and quash the efforts of any one member to perform a solo upon his own peculiar trumpet. All round the platform sit the members of a former band, stern critics anxious to seize the instruments from the hands of their rivals

[1] Lord Chancellors and Keepers of the Great Seal are very prone to puns. When Lord Campbell replaced Lord Plunket as Chancellor of Ireland he had to cross the Channel in a storm. Plunket's secretary remarked that if the new Chancellor were not drowned, he would be very sick. "Perhaps," said Plunket, "he'll throw up the seals!" Lord Chancellor Westbury once told an eminent counsel that he was getting as fat as a porpoise. "In that case," replied the other, "I am evidently a fit companion of the great Seal." Lord Lyndhurst is another Chancellor who made a joke of this sort. There must be something, too, in the atmosphere of a change of Ministry which evokes bad puns. When Disraeli was appointed to Lord Derby's Cabinet in 1852, more than one eminent politician facetiously remarked that now Benjamin's mess would be five times as great as that of the others. And, fourteen years later, when the same statesman was bidden to form a Ministry of his own, Lord Chelmsford, whom he had relieved of the Chancellorship of the Exchequer, shamelessly observed that if the old Government was "the Derby," this new one was certainly "the Hoax" (see Martin's "Life of Lyndhurst," p. 481 n., and the "Life of Lord Granville," vol. i. p. 479, etc.).

and show the public how the tune should be played. Their chance will soon arrive. For when the concert has gone on sufficiently long, the popular audience grows weary of the performance and demands something fresh. Another conductor is chosen, and another orchestra engaged to play. The old band is dismissed, and its members are free to return to their former avocations, wiser no doubt, but perhaps poorer men.[1] But though from Parliament to Parliament the performers may vary and the leaders change, the music remains very much the same; and, while the country enjoys the privilege of paying the piper, it is generally the piper who calls the tune.

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[1] If Pitt had been dismissed from office "after more than five years of boundless power," says Macaulay, "he would hardly have carried out with him a sum sufficient to furnish a set of chambers in which, as he cheerfully declared, he meant to resume the practice of the Law."—"Miscellaneous Writings," p. 347.

CHAPTER VI

THE LORD CHANCELLOR

FROM the days of Sir Thomas More to the present time the Woolsack has continuously enriched the annals of English history with famous and distinguished names. The well-known biographies of Lord Campbell, whose habit of writing the lives of the deceased as soon as the breath was out of their bodies added, as Brougham declared, a new terror to death, supply abundant evidence of the statesmanlike qualities that attach to the holders of the office. The most eminent men of their day have held the Chancellorship, proving the truth of Burke's well-known assertion that of all human studies the law is the most efficacious in forming great men, and that to be well versed in the laws of England is to be imbued in the sublimest principles of human wisdom.

The office of Chancellor is of very ancient origin.[1] It existed in England in the days of the Anglo-Saxon kings, when the official who acted as judicial secretary or clerk to the sovereign is supposed to have derived his title from the *cancelli* or screens behind which he carried on his clerical duties.

After their conversion to Christianity, the kings employed the services of a priest as chaplain or confessor, and in the person of the Chancellor the posts of "Keeper of the King's Conscience" and secretary were thus naturally combined. In King Ethelred's time the Chancellorship was divided between the Abbots of Ely, Canterbury and Glastonbury, who exercised it in turn, each for four months.

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[1] Lord Ellesmere observes that in the 8th Chapter of Samuel, Jehoshaphat the son of Abilud, the Chancellor among the Hebrews, was called "Mazur," which, translated into English, becomes "Sopher," or Recorder. "Whether the Lord Chancellor of *England* as now he is, may be properly termed *Sopher* or Mazur, it may receive some needlesse question, howbeit it cannot be doubted but his office doth participate of both their Functions."—"Observations concerning the Office of Lord Chancellor," p. 2.

The appointment continued for several centuries to be held by a cleric. In the early days of Parliament, indeed, the Chancellor received his writ of summons as a Bishop and not as Chancellor, and, though he attended in the latter capacity in any case, no summons was sent to him if he did not happen to be a bishop. Ecclesiastics were appointed to the Chancellorship, without exception, until the time of Sir Robert Bourchier in 1340, and it was not for a long time after this that spiritual statesmen wholly gave place to lawyers. Thomas à Beckett, William of Wykeham and Cardinal Wolsey, figure prominently among the clerical Chancellors of early times, and it was not until the beginning of the seventeenth century that laymen succeeded in establishing themselves firmly upon the Woolsack. Since that time no cleric, with the single exception of Bishop Williams, in 1621, has been entrusted with the Chancellorship or the custody of the Great Seal.

One of the chief duties of the Chancellor in early times consisted in affixing the royal Seal with which from time immemorial the will of the sovereign has been expressed. At the present day Royal grants and warrants, Letters-Patent of Peerage or for inventions, Commissions of the Peace, etc., are issued under what Coke calls the *Clavis Regni.* When the sovereign is absent it acts as his representative, and Parliament itself is opened by a Commission under the Great Seal. This emblem of sovereignty may therefore be considered one of the most important instruments of the Constitution, and, as its loss would entail endless inconvenience, it is given into the custody of the Lord Keeper or Lord Chancellor.[1] As secretary to the King the Chancellor would seem to have been its natural custodian, but when he fell sick or died, or went abroad, it was occasionally placed in other hands. Later on it became the custom to make the Keepership of the Great Seal a regular appointment, separate and distinct from the Lord Chancellorship.

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[1] The Seal was stolen from Lord Thurlow by burglars in 1784, and the offer of a reward of £200 failed to retrieve it. When Lord Chancellor

The post of Lord Keeper has been held by statesmen, courtiers, and divines, and the duties of the office have even been undertaken on two occasions by women. Queen Eleanor, the first Lady Keeper, was also the most unpopular. While her husband was abroad in 1253, and the Great Seal was in her custody, she made use of her delegated power to lay a heavy tax on all vessels bearing cargo to London, and showered gifts of English land and places upon her foreign relatives. She thus succeeded in arousing the hatred of the London mob, who expressed their dislike in a material fashion by pelting her with mud. To avoid the fury of the populace Queen Eleanor fled abroad, and only returned to England to take refuge in a convent.[1] The other Lady Keeper, Queen Isabella, who held the Great Seal in 1321, had no actual commission, and was not entrusted with any judicial power. But she kept the Seal in a casket, and delivered it each day as it was required to the Master of the Rolls, and may therefore claim to be included in the list of Keepers.

The post of Lord Keeper and Lord Chancellor first became identical in Queen Elizabeth's time, when the Great Seal was

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Eldon's house at Encombe caught fire in 1812, he buried the Seal for safety's sake in the garden, and then forgot where he had buried it. His family spent most of the next day digging for it before it was finally recovered. Eldon seems to have taken the fire very easily. "It really was a very pretty sight," he wrote, "for all the maids turned out of their beds, and formed a line from the water to the fire-engine, handing the buckets; they looked very pretty, *all in their shifts*." Campbell's "Lives of the Chancellors," vol. vii. p. 300.

[1] Queen Eleanor was a remarkable woman. At the age of thirteen she was the author of a heroic poem, and in the following year became a wife. Piers of Langtoft describes her as

> "The fayrest Maye in lyfe,
> Her name Elinore of gentle nurture,
> Beyond the sea there was no such creature."

entrusted to Sir Nicholas Bacon, who, with his son Sir Francis and the great Lord Burghley, may be considered the most eminent of Elizabethan Chancellors. Sir Nicholas has been called an "archpiece of wit and wisdom,"[1] and was also well suited physically to combine the two important offices. By nature a man of gigantic size, he grew more bulky with advancing years, and though his dignity was thus increased, the progress of Chancery business suffered in proportion. When he took his seat on the bench, after walking from the Court of Chancery to the Star Chamber, Sir Nicholas always spent some considerable time in recovering his breath. The proceedings were accordingly delayed until he had struck the ground three times with his stick as a signal that he was in a condition to resume work. As was fitting in a man of his position, Lord Keeper Bacon inspired intense awe amongst his subordinates. Indeed, the reverence with which he was universally regarded eventually proved the indirect cause of his death. One day, while he was having his hair cut, he fell into a profound slumber, from which no one had the courage to rouse him. "I durst not disturb you," said the barber, when Sir Nicholas at last awoke, chilled to the bone. "By your civility I lose my life," was the Lord Keeper's reply; and in a few days his prophecy was fulfilled. Though, with Sir Nicholas Bacon, the two posts of Keeper and Chancellor became united, it was not until the time of George III. that the modern system originated of conferring the Great Seal and the title of Lord Chancellor simultaneously.

In mediæval days the Chancellorship and the Lord Keepership were often held in conjunction with other offices. Stratford was Archbishop of Canterbury as well as Lord Chancellor in 1334, and, though his ecclesiastical duties were too onerous to permit of his discharging the functions of the Lord Keepership, they did not prevent him from retaining to himself the fees of that office. In 1532, Thomas Audley, the Speaker of the House of Commons, was appointed Lord Keeper in succession to Sir Thomas More, and held both appointments simultaneously until he was made Lord Chancellor. And as recently as the reign of Charles II., a Prime Minister, the Earl of Clarendon, combined the posts of Premier and Chancellor.

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[1] Naunton's "Fragmenta Regalia," p. 38.

The office of Lord Chancellor developed into one of primary importance in the time of Edward I., when, from being but a member of the *Aula Regis*, he became the president of a separate court, a Court of Equity. Law and Equity have, to a certain extent, been antagonistic ever since the days when kings were advised by clerics and opposed by lawyers. In the eyes of the latter Equity was often, as Selden says, "a roguish thing," untrustworthy, and largely dependent upon the conscience of individual Chancellors, "and as that is larger or narrower, so is Equity." But however exaggerated the claim of Equity to be the "law of God," "the law of nature," or "law of reason,"[1] it has at least vindicated its position in the statutory enactment that, where there is a conflict, its rules are to prevail over those of the Common Law.[2]

The conscience of some, at least, of England's early Lord Chancellors possessed peculiarly plastic qualities. They themselves were not infrequently ignorant of the principles of law. Occasionally, too, their conduct and character were such that it is hard to imagine them as the fount of Equity or justice. Lord Wriothesley, Chancellor in 1544, combined legal incompetence with the most intense religious bigotry.[3] Chancellor Sir Francis Bacon, philosopher, writer, and lawyer, whose name is one of the most famous in English history, was forced to plead guilty to a charge of "corruption and neglect," for which offence he was deprived of the Great Seal, fined a sum of £40,000, and imprisoned in the Tower. A hundred years later Lord Chancellor Macclesfield was impeached and fined for corrupt practices with regard to the sale of Masterships in Chancery; while the brutal Jeffreys, stained with the blood of hundreds of innocent and defenceless persons, was another Lord Chancellor whose presence added nothing to the prestige of the Woolsack.[1]

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[1] "The Fyrste Dyaloge in Englys, between a Doctoure of Dyvynyte and a Student in the Lawes of England" (1539).

[2] Judicature Act of 1873, section 24.

[3] His barbarous treatment of the wretched Anne Askew is notorious. For denying that the sacramental blood and wine lost their material elements after consecration, Anne was condemned to be tortured, and the Lord Chancellor with his own hands stretched the rack on which the unfortunate woman was bound, in the hope of extracting a confession. It must, however, be admitted that Wriothesley's heart was not entirely impervious to emotion, for when, as Lord Chancellor, he announced the death of Henry VIII. in the House of Lords, he could not refrain from bursting into tears.

Many centuries elapsed before the standard of judicial morality in England attained its present high level, but even in the earliest days of the Chancellorship we find occupants of the Woolsack combining legal wisdom with particularly blameless lives. The great Sir Thomas More, statesman and author, was as famous for the extreme simplicity of his habits as for the ability with which he despatched Chancery business. The former virtue he almost carried to excess, and his practice of singing in the choir of the parish church at Chelsea, dressed in a surplice, surprised and even shocked his contemporaries. "God's body!" once exclaimed the Duke of Norfolk, seeing More thus attired and singing lustily; "My Lord Chancellor a parish clerk! You dishonour the King and his office." "Nay," replied More, "Your Grace may not think that the King, your master and mine, will be offended with me for serving *his* Master, or thereby account his office dishonoured," and he resumed his interrupted hymn.

Jeffreys' predecessor, Lord Guilford, who, as Campbell tells us, "had as much law as he could contain," was another Chancellor of blameless morals. In an age when the possession of a few redeeming vices was considered the mark of a gentleman, the purity of his conduct caused him some natural unpopularity. Indeed, his friends strongly advised him to take a mistress, if he did not wish to lose all interest at Court, saying that people naturally looked suspiciously at a man who declined to follow the general practice and seemed to be continually reprehending them by his superior moral tone. Lord Guilford's enemies even sought to revenge themselves upon him by spreading reports calculated to make him look ridiculous, and once, when the Lord Keeper had gone to the city to see a rhinoceros which was on view there, circulated a story to the effect that he had insisted upon riding this animal down the street. Poor Lord Guilford was much annoyed; he was blessed with a most exiguous sense of humour, and could see nothing amusing in so preposterous a suggestion. "That his friends, intelligent persons, who must know him to be far from guilty of any childish levity, should believe it, was what *roiled* him extremely,"[1] he declared.

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[1] He was, however, an able lawyer, and reserved his orgies for private life. "If my Lord Jefferies exceeded the bounds of temperance now and then in an evening, it does not follow that he was drunk on the bench or in council." (Campbell's "Lives," vol. iii. p. 595 *note.*)

The duties of the Lord Chancellor are manifold and of supreme importance. Lord Lyndhurst, who himself held the Seal three times, and is famous not only as an orator but also as the originator of the policy of what is known as the Two Power Standard,[2] once said that the Chancellor's work might be divided into three classes: "first, the business that is worth the labour done; second, that which does itself; and third, that which is not done at all."[3]

In his Court of Chancery the Lord Chancellor formerly exercised a vast jurisdiction. At one time all writs were issued from this Court, and he was not only considered the guardian of all "children, idiots, and lunatics," but, as Blackstone says, "had the general superintendance of all charitable uses in the Kingdom," and was the visitor of all hospitals of royal foundation.[4] His former duties in these respects have to some extent been delegated to other judges and officers, acting in his name; the issuing of writs, though also in his name, has been transferred to the Central Office, and the jurisdiction of the Court of Chancery removed to the Chancery Division of the High Court of Justice.

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[1] Roger North's "Life of Lord Guilford," vol. ii. p. 167. (The word *roiled*, so we are informed, was an import from the American plantations.)

[2] "If we wish to be in a state of security," he said, in 1859, "if we wish to maintain our great interests, if we wish to maintain our honour, it is necessary that we should have a power measured by that of any two possible adversaries."

[3] H. Crabb Robinson's "Diary," vol. iii. p. 453.

[4] "Commentaries," vol. iii. p. 47.

His judicial position, however, is probably greater than ever. He is head of the Law and of the Judges—a vast though still, perhaps, inadequate number—President of the High Court of Justice and of the Court of Appeal, and, above all, of the highest and final Court of the realm, the House of Lords. Here he sits continuously, with occasional excursions to preside over the Judicial Committee of the Privy Council to which come all appeals from India and the Colonies. As the only legal member of the Cabinet, he is virtually chief law officer of the Crown, and questions of domestic or international law are submitted for his advice by his colleagues, the heads of the other Departments of the Government. In his capacity of Keeper of the Great Seal he may never leave the Kingdom, and is *ex officio* Speaker of the House of Lords, and must attend all its sittings. The Chancellor does not, however, enjoy rights similar to those of the Commons' Speaker; he is not addressed in debate; he does not call upon peers to speak, and has no authority to settle questions of order.

As the Woolsack is not considered to be within the limits of the House of Lords, the fact of a Chancellor being a Commoner does not prevent him from sitting there and discharging the duties of Speaker; but he may not take any other part in the proceedings unless he be himself a peer. Only in recent times has the Chancellor been necessarily made a peer, and there exists no statutory restriction incapacitating any man, unless he be a Roman Catholic, from holding the office of Lord Chancellor.[1]

The limitation of his powers as Speaker of the Lords owes its origin to the fact that, unlike the Chairman of the Commons, the Chancellor is always a partisan appointed by a particular Government, and retires when that Government goes out of office. As such, he takes an active part in debate, and, though much respect would be paid to his advice on points of order, it need never be followed, and he has no power to decide questions of procedure or to control the conduct of his fellow peers.

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[1] Sir Robert Harley, Chancellor in 1757, was not made a peer until 1764. In 1830, Brougham took his seat on the Woolsack as a Commoner, and at least one other Chancellor has since followed his example.

The first Chancellor of an actively partisan character was Lord Thurlow—

> "The rugged Thurlow who with sullen scowl,
> In surly mood, at friend or foe will growl"—

whose well-known asperity had earned for him the title of "the Tiger." It was said of him that in the Cabinet he "opposed everything, proposed nothing, and was ready to support anything." He was supposed to have derived his descent from Thurloe, Cromwell's secretary. "There are two Thurlows in my county," he remarked, when questioned upon the subject, "Thurloe the secretary and Thurlow the carrier. I am descended from the carrier."[1] His bad manners on the bench were proverbial, but not apparently incorrigible. Once at the commencement of the Long Vacation, when he was quitting the court without taking the usual leave of the Bar, a young barrister whispered to a companion, "He might at least have said 'D—— you!'" Thurlow overheard the remark, returned to his place, and politely made his bow.[2] Eldon said of Thurlow that he was a sturdy oak at Westminster, but a willow at St. James's, where he long

[1] Roscoe's "Eminent British Lawyers," p. 258. (Other Chancellors were sprung from equally humble origin. Edward Sugden, afterwards Lord St. Leonards, was the son of a barber. To him is attributed a repartee similar to that made many years earlier by Colonel Birch, M.P., who was taunted with having in his youth been a carrier. "It is true, as the gentleman says, I once was a carrier," replied Birch. "But let me tell the gentleman that it is very fortunate for him that he never was a carrier; for, if he had been, he would be a carrier still." See Burnet's "History of His Own Time," p. 259.

[2] Hawkins's "Memoirs," vol. ii. p. 312.

figured as the intimate and grateful confidant of George III.[1]

> "Oft may the statesman in St. Stephen's wave,
> Sink in St. James's to an abject slave,"

but Thurlow's attitude towards his royal master does not appear to have been marked by extreme servility. Once, indeed, when the Chancellor had taken some Acts to receive the royal assent, he read one or two of them through to the King and then stopped. "It's all d——d nonsense trying to make you understand this," said Thurlow, with brutal frankness, "so you had better consent to them at once!" And if he adopted this tone to his King, it may be certain that his attitude towards his equals or inferiors was no less overbearing.

Thurlow's character has been cruelly portrayed in the *Rolliad* under the heading:

"HOW TO MAKE A CHANCELLOR."

"Take a man of great abilities, with a heart as black as his countenance. Let him possess a rough inflexibility, without the least tincture of generosity or affection, and be as manly as oaths and ill-manners can make him. He should be a man who should act politically with all parties—hating and deriding every one of the individuals who compose them."[2]

If the Speaker of the Lords had been expected to conduct himself in a fashion similar to that of the Speaker of the Commons, Thurlow's behaviour on the Woolsack would certainly have given rise to adverse criticism. He was a frank and bitter partisan, and when some opponent had spoken, would step forward on to the floor of the House and, as he himself described it, give his adversary "such a thump in the bread-basket" that he did not easily recover from this verbal onslaught.[1] Thurlow's pet aversion was Lord Loughborough, his successor on the Woolsack. When Loughborough spoke effectively upon some subject opposed by Thurlow, who had not however taken the trouble to study it, the latter could be heard muttering fiercely to himself. "If I was not as lazy as a toad at the bottom of a well," he would say, "I could kick that fellow Loughborough heels over head, any day of the week." And he was probably right, for Lord Loughborough was a notoriously bad lawyer,[2] whereas his rival's sagacity almost refuted Fox's celebrated saying that "Nobody could be as wise as Thurlow *looked*."

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[1] He declared, on a famous occasion, that his debt of gratitude to His Majesty was ample, for the many favours he had graciously conferred upon him, which, when he forgot, might his God forget him! Wilkes, who was present, muttered, "God forget you! He will see you d——d first!" while Burke remarked that to escape the memory of the Almighty would be the very best thing Thurlow could hope for.

[2] Page 430.

The amount of work accomplished by a Lord Chancellor depends very largely upon the man himself, as we may see by comparing the two most distinguished Chancellors of their day—Lord Eldon and Lord Brougham.

Eldon had worked his way laboriously from the very foot to the topmost rung of the legal ladder. It was his own early experiences that inspired him to say that nothing did a young lawyer so much good as to be half-starved. And in action as well as in word he always maintained that the only road to success at the Bar was "to live like a hermit, and work like a horse."

He was in many ways an original character. He always wore his Chancellor's wig in society, and was otherwise unconventional. One day, after reading much of "Paradise Lost," he was asked what he thought of Milton's "Satan." "A d——d fine fellow," he replied; "I hope he may win." In spite of this view, however, he was an extremely religious man, though he did not attend divine service regularly. Indeed, when some one referred to him as a "pillar of the church," he demurred, saying that he might justly be called a *buttress* but not a pillar of the church, since he was never to be found inside it. He is probably the most typical Tory of the old school that can be found in political history. His conservatism was of an almost incredibly stand-still and reactionary character. As Walter Bagehot said of him in a famous passage, he believed in everything which it is impossible to believe in—"in the danger of Parliamentary Reform, the danger of Catholic Emancipation, the danger of altering the Court of Chancery, the danger of altering the Courts of Law, the danger of abolishing capital punishment for trivial thefts, the danger of making landowners pay their debts, the danger of making anything more, the danger of making anything less."[1]

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[1] Twiss's "Life of Eldon," vol. i. p. 214.

[2] Lord Ellenborough was once asked by his hostess after dinner to cease conversing with his host—a judge—and to give the ladies some conversation, as he had been talking law long enough. "Madam," he replied, "I beg your pardon; we have not been talking law, or anything like law. We have been talking of one of the decisions of Lord Loughborough."—Campbell's "Lives," vol. vi. p. 251.

Though on political questions Eldon could make up his mind quickly enough, on the bench the extreme deliberation with which he gave judicial decisions was the subject of endless complaints. He agreed with Lord Bacon that "whosoever is not wiser upon advice than upon the sudden, the same man is not wiser at fifty than he was at thirty."[2] His perpetual hesitation in Court, the outcome of an intense desire to be scrupulously just, gave rise to attacks both in Parliament and the press.[3]

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[1] Bagehot's "Literary Studies," vol. i. p. 150.

[2] Like Lord Bacon, too, he compiled an indifferent "Anecdote Book." Bacon's "Collection of Apothegms," was supposed to have been taken down from his dictation all on "one rainy day," but neither the brevity of the time nor the inclemency of the weather is a sufficient excuse for so poor a production.

[3] These occasionally took the form of lampoons in verse, such as the following:—

THE DERIVATION OF CHANCELLOR

"The Chancellor, so says Lord Coke,
His *title* from Cancello took;
And ev'ry cause before him tried
It was his duty to *decide*.
Lord Eldon, hesitating ever,
Takes it from Chanceler, to *waver*,
And thinks, as this may bear him out,
His bounden duty is to *doubt*."

Pryme's "Recollections," p. 111.

LORD ELDON

FROM THE PAINTING BY SIR THOMAS LAWRENCE, P.R.A., IN THE NATIONAL PORTRAIT GALLERY

79.

A Commission was eventually appointed, ostensibly to inquire into the means by which time and expense might be saved to suitors in Chancery—where, as Sydney Smith said, Lord Eldon "sat heavy on mankind"—but really to expose the dilatory methods of the Chancellor. Eldon came well out of the inquiry, however, and it was proved that in the twenty-four years during which he had held the Great Seal, but few of his decisions had been appealed against, and still fewer reversed.

If some fault could be found with Lord Eldon for being a slow if steady worker, no such complaint could be levelled at the head of Lord Brougham. The latter, indeed, erred on the side of extreme haste, and was as restless on the bench as Eldon was composed, and as ignorant and careless of his duties as his predecessor was learned and scrupulous. Brougham's cleverness, was, however, amazing. If he had known a little law, as Lord St. Leonards dryly observed, he would have known a little of everything. He has been called "the most misinformed man in Europe," and in early life, when he was one of the original founders of the *Edinburgh Review*, is said to have written a whole number himself, including articles upon lithotomy and Chinese music. His ability and brilliance were unsurpassed, and his oratory was superb. His famous speech (as her Attorney-General) in defence of Queen Caroline was one of the finest forensic efforts ever heard in the House of Lords.[1] His many talents have been epitomised in a famous saying of Rogers: "This morning Solon, Lycurgus, Demosthenes, Archimedes, Sir Isaac Newton, Lord Chesterfield, and a great many more, went away in one post-chaise." Yet he was eminently unsuccessful as Chancellor, and his domineering fashion of treating his colleagues made him extremely unpopular. Brougham's loquacity was intolerable, and his conceit immense. "The

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[1] "There never was anything like the admiration excited by Brougham's speech. Lord Harrowby, G. Somerset, Mr. Montagu, and Granville told me it was in eloquence, ability, and judicious management beyond almost anything they ever heard."—Lady Granville's "Letters" (to Lady G. Morpeth, 5 October, 1820), vol. i. p. 181.

Whigs are all cyphers," he once declared, "and I am the only unit in the Cabinet that gives a value to them." It must, however, be admitted that he was a great statesman if not a great Chancellor, and that to his unique intellectual talents we owe in great measure the emancipation of the negro slave and the passing of the Reform Bill.

In his lifetime, Brougham was almost universally disliked and feared. "A 'B' outside and a wasp within," said some wag, pointing to the simple initial on the panel of that carriage which Brougham invented, and which still bears his name.[1] And this was the popular view of that Chancellor whom Sheil called "a bully and a buffoon." Even his friends distrusted him, and in 1835, when Lord Melbourne returned to power, the Great Seal, which Brougham had held but a year before, was not returned to him, but was put into Commission. No reasons were assigned for this step, but they were sufficiently obvious. "My Lords," said Melbourne in the Upper House, when Brougham subsequently attacked him with intense bitterness, "you have heard the eloquent speech of the noble and learned Lord—one of the most eloquent he ever delivered in this House—and I leave your Lordships to consider what *must be* the nature and strength of the objections which prevent my Government from availing themselves of the services of such a man!"[2] Perhaps one of the strongest objections was the intense dislike with which the ex-Chancellor was regarded by the King. This was not lessened by the cavalier fashion in which Brougham treated his sovereign. When he was forced to return the Great Seal into the Royal hands in 1834, he did not deliver it in person, as was proper, but sent it in a bag by a messenger, "as a fishmonger," says Lord Campbell, "might have sent a salmon for the King's dinner!"

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[1] The Duke of Wellington once chaffed Brougham, saying that he would only be known hereafter as the inventor of a carriage. The Chancellor retorted by remarking that the Duke would only be remembered as the inventor of a pair of boots. "D—— the boots!" said Wellington. "I had quite forgotten them; you have the best of it!"

[2] Russell's "Recollections," p. 138.

A Privy Councillor, by virtue of his office, and "Prolocutor of the House of Lords by prescription,"[1] the Lord High Chancellor of Great Britain occupies to-day the "oldest and most dignified of the lay offices of the Crown." By ancient statute, to kill him is a treasonable offence, and his post as Lord Keeper is not determined by the demise of the Crown. He enjoys precedence after the Royal Family and the Archbishop of Canterbury, holds one of the most prominent places in the Cabinet, and is the highest paid servant of the Crown.

In Henry I.'s time the Lord Keeper of the Great Seal was paid 5*s.* a day, and received a "livery" of provisions, a pint and a half of claret, one "gross wax-light" and forty candle-ends. The Chancellor's perquisites used always to include a liberal supply of wine from the King's vineyards in Gascony. At the beginning of the nineteenth century, he received a salary of £19,000; but Lord Eldon, in 1813, gave up £5000 of this to the Vice-Chancellor, and for a long time the Woolsack was worth £14,000 a year. A modern Chancellor's salary is £10,000—£5000 as Lord Chancellor, and £5000 as Speaker of the House of Lords—and he is further entitled to a pension of half that amount on retirement

The extensive patronage that attaches to the office adds much to its importance. The Chancellor recommends the appointment of all judges of the High Court and Court of Appeal, and is empowered to appoint or remove County Court judges and Justices of the Peace. He also has the gift of all Crown livings of £20 or under, according to the valuation made in Henry VIII.'s reign, and of many other places.[2]

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[1] Blackstone's "Commentaries," vol. iii. p. 47.

[2] Lord Eldon, who dearly loved a joke, wrote as follows to his friend, Dr. Fisher, of the Charter House, who had applied to him for a piece of preferment then vacant—

"DEAR FISHER,
"I cannot, to-day, give you the preferment for which you ask.
"I remain, your sincere friend,
"ELDON.
"*Turn over.*"

(On the other side of the page he added)
"I gave it to you yesterday."

"Life of Eldon," vol. ii. p. 612.

One of his perquisites is the Great Seal, which, when "broken up," becomes the property of the reigning Chancellor. The breaking up of the Great Seal is a simple ceremony which inflicts no actual damage upon the article itself. Whenever a new Great Seal is adopted, at the beginning of a new reign, on a change of the royal arms, or when the old Seal is worn out, the sovereign gives the latter a playful tap with a hammer, and it is then considered to be useless, and becomes the property of the Lord Chancellor. On the accession of William IV. a dispute arose between Lord Lyndhurst and Lord Brougham as to who should possess the old Seal. The former had been Chancellor when the order was made for the engraving of the new Seal; the latter had occupied the Woolsack when the new Seal was finished and ordered to be put into use. The King, to whom the question was referred, decided, with truly Solomonian sagacity, that the Seal should be divided between the two Chancellors.[1]

The people of England, as Disraeli said some seventy years ago, have been accustomed to recognize in the Lord Chancellor a man of singular acuteness, of profound learning, and vast experience, who has won his way to a great position by the exercise of great qualities, by patient study, and unwearied industry. They expect to find in him a man who has obtained the confidence of his profession before he challenges the confidence of his country, who has secured eminence in the House of Commons before he has aspired to superiority in the House of Lords; a man who has expanded from a great lawyer into a great statesman, and who "brings to the Woolsack the commanding reputation which has been gained in the long and laborious years of an admired career."[2] Seldom, indeed, are the people of England disappointed.

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[1] The same difficulty arose in 1878, when Queen Victoria solved it by ollowing the precedent set in 1831, and divided the Seal between Lord Cairns and his predecessor.

[2] "The Runnymede Letters," p. 230.

CHAPTER VII

THE SPEAKER

THE position of "First Commoner of the Realm" is, after that of Prime Minister, the most distinguished as well as the most difficult to which it is possible for any man to attain while still a member of Parliament. A comparison of the two offices proves, in one respect at any rate, favourable to the former; for whereas it has been said that the Premier "can do nothing right," the Speaker can do no wrong. He may indeed be considered to enjoy in the House the prerogative which the sovereign is supposed to possess in the country. But it is not upon his presumable infallibility that the occupant of the Chair relies to-day for the unquestioned honour and dignity of his position. It is rather to the reputation for absolute integrity with which, for close upon a hundred years, each Speaker in turn has been justly credited, that he owes the tribute of esteem and respect, almost amounting to awe, which is nowadays rightly regarded as his due. The reverence he now inspires is the product of many Parliaments; his present state is the gradual growth of ages.

From very early days, when the two Houses began to sit apart, the Commons must probably have always possessed an official who, in some measure, corresponded to the modern idea of a Speaker. And though Sir Thomas Hungerford, elected to the Chair in 1377, was the first upon whom that actual designation was bestowed, the Lower House undoubtedly employed the services of a spokesman — or "pourparlour," as he was then called—at an even earlier date.[1]

The name "Speaker" is perhaps a misleading one, since speaking must be numbered among the least important of the many duties that centre round the Chair, though in bygone days it was customary for a Speaker to "sum up" at the close of the proceedings. Grattan's landlady used to complain feelingly that it was a sad thing to see her misguided young lodger rehearsing his speeches in his bedroom, and talking half the night to some one whom he called "Mr. Speaker," when there was no speaker present but himself.[2] It is, however, as the mouthpiece of the Commons, as one who speaks for, and not to, his fellow-members, and was long the only channel through which the Commons could express their views to the Crown, that the Speaker earns his title.

The Speaker may well be called the autocrat of the House; his word there is law, his judgment is unquestioned, his very presence is evocative of a peculiar deference. He is at the same time the servant of the House, and, in the memorable words which Speaker Lenthall addressed to Charles I., has "neither eyes to see nor tongue to speak but as the House is pleased to direct." It is upon the good pleasure of the Commons that his power is based; by their authority alone he rules supreme.

The prestige which nowadays attaches to the office has been slowly evolved on parallel lines with the gradual public recognition of the necessary impartiality of the Chair. In proportion as the Speaker became fair minded, the strength of his position was enhanced, until to-day the occupant of the Chair is as powerful as he is impartial.

That there was a time when he could not justly be accused of being either the one or the other is a matter of history. Speakers in the past displayed little of the dignity and none of the fairness to which their successors have now for so many generations accustomed us. They were frequently subjected to intentional disrespect on the part of the unruly members of that assembly over which it was their duty to preside. In the early Journals of the House, for instance, we find a Speaker complaining that a member had "put out his tongue, and popped his mouth with his finger, in scorn," at him.[1] And the worthy Lenthall himself was much upset on one occasion when a member came softly up behind him, as he was engaged in putting a question to the vote, and shouted "Baugh!" in his ear, "to his great terror and affrightment."[2] Even as recently as in the reign of George III. the parliamentary debates were marked by perpetual altercations of an undignified and acrimonious description between the members and the Chair.

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[1] Hakewell gives a list of Hungerford's predecessors in the Chair, which includes Sir Peter de la Mare, commissioned by Parliament to rebuke Edward III. for his misconduct with Alice Perrers, and imprisoned for so doing.

[2] Phillips's "Curran and his Contemporaries," p. 88.

That such things would be impossible nowadays is the result not so much of an improvement in the manners of the House—though that may have something to do with it—as in the complete change which has taken place in the character of its Chairman.

Up to the end of the seventeenth century the Chair was to all intents and purposes in the gift of the Crown: its occupant was a mere creature of the reigning sovereign. "It is true," wrote Sir Edward Coke, in 1648, "that the Commons are to chuse their Speaker, but seeing that after their choice the king may refuse him, for avoiding of expense of time and contestation, the use is that the king doth name a discreet and learned man whom the Commons elect."[3] The Speaker was, indeed, nothing more nor less than the parliamentary representative of the King, from whom he received salaried office and other material marks of the royal favour.

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[1] July 16, 1610.

[2] Palgrave's "House of Commons," p. 51.

[3] "The Institutes of the Laws of England," fourth part (1648), p. 8.

In Stuart days the Commons had grown so jealous of the influence of the Crown, and found the Speaker's spying presence so distasteful, that they often referred important measures to Giant Committees of which they could themselves elect less partial chairmen. That they were justified in their fears is beyond doubt. In 1629, for example, Speaker Finch, who was a paid servant of King Charles, declined to put to the House a certain question of which he had reason to believe that His Majesty disapproved. Again and again he was urged to do his duty, but tremblingly refused, saying that he dared not disobey the King. On being still further pressed, the timorous Finch burst into tears, and would have left the Chair had not some of the younger and more hot-headed members seized and held him forcibly in his seat, declaring that he should remain there until it pleased the House to rise.[1]

Even in the days of the Commonwealth, the choice of a Chairman was not left entirely to the independent will of the Commons, and Lenthall, himself the first Speaker to treat the Crown with open defiance, owed his election to the urgent recommendation of Cromwell.

The Chair did not altogether succeed in clearing itself of Court influence until the close of the seventeenth century, when the memorable and decisive conflict between the Crown and the Commons took place over the Speakership. The refusal of Charles II., in 1678-9, to approve of Sir Edward Seymour, the Commons' choice, aroused the most intense resentment in the breast of every member of the House, and was the subject of many heated debates. Though the popular assembly had eventually to bow to the royal will, the election of the King's original candidate was not pressed, and the Commons may be said to have gained a moral victory. From that day to this no sovereign has interfered in the election of a Speaker, nor since then has the Chair ever been filled by a royal nominee.

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[1] Carlyle's "Letters and Speeches of Oliver Cromwell," vol. i. p. 88. Until comparatively recently it was not permissible for a Speaker to leave the Chair until, at the instigation of some member, the motion "that this House do now adjourn" had been put. In this connexion a pathetic story is told of Speaker Denison. On one occasion the House broke up rather hurriedly, and the necessary formula for releasing the Speaker was forgotten. He was consequently compelled to remain a lonely prisoner in the Chair until some good-natured member could be brought back to set him free.

As a result of this great constitutional struggle between King and Parliament, the Speaker gained complete independence of the royal will, but he had still to acquire that independence of Party to which he did not practically attain until after the Reform Act of 1832.

From being the creature of the Crown, the Speaker developed into the slave of the Ministry, thus merely exchanging one form of servitude for another. He was an active partisan, and, in some instances, openly amenable to corruption. Sir John Trevor, the first Speaker to whom was given (by a statute of William III.) the title of "first Commoner of the realm," an able but unscrupulous man who began life in humble circumstances as a lawyer's clerk, was actually found guilty of receiving bribes, and forced to pronounce his own sentence. "Resolved," he read from the Chair on March 12, 1695, "that Sir John Trevor, Speaker of this House, for receiving a gratuity of 1000 guineas from the City of London, after the passing of the Orphans Bill, is guilty of a high crime and misdemeanour." This resolution was carried unanimously, and on the following day, when Sir John should have been in his place to put to the vote the question of his own expulsion, he wisely feigned sickness, and was never more seen within the precincts of the House.[1]

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[1] After his dismissal from the House of Commons, Sir John Trevor lived quietly at home and amassed money. His miserly habits became notorious. Once when he was dining alone and drinking a bottle of wine, a cousin was introduced by a side door. "You rascal," said Trevor to his servant; "how dare you bring this gentleman up the back stairs? Take him instantly down the back stairs and bring him up the *front* stairs!" In vain did the cousin remonstrate. While he was being ceremoniously conveyed down one staircase and up the other his host cleared the dinner table, and he returned to find the bottles and glasses replaced by books and papers. Campbell's "Lives of the Chancellors," vol. v. pp. 59–60.

Arthur Onslow, who was elected to the Chair in 1727, and filled it with distinction for three and thirty years, has been called "the greatest Speaker of the century," and was the first to realise the absolute necessity for impartiality. So determined was he to ensure himself against any possible suspicion of bias that he insisted upon sacrificing that portion of his official salary which was customarily paid by the Government.

Excellent though such an example must have been, it was many years after Onslow's retirement before his successors ceased to display a partisan spirit wholly incompatible with the dignity of their office. Speaker Grenville threatened to leave the Chair because the Ministry of the day refused to accelerate the promotion of a military relative of his; Addington frequently overlooked trifling breaches of the rules of procedure committed by his political chief and crony, Pitt; Abbot contrived that the scheme for the threatened impeachment of Lord Wellesley should prove abortive. It was the last-named Speaker, however, who unwittingly brought to a head the question of the impartiality of the Chair, and thereby settled it once and for all.

On July 22, 1813, at the prorogation of Parliament, Speaker Abbot took it upon himself to deliver at the bar of the House of Lords a lengthy party harangue on the subject of Catholic emancipation. This frank exposition of his private political views roused the indignation of the Commons, who took an early opportunity of expressing their disapproval of his conduct. Not even his friends could condone Abbot's action, and in April of the following year a resolution was moved in the Commons gravely censuring him for his behaviour on this occasion. For several hours he was forced to listen to criticisms and abuse from both sides of the House, and though, as a matter of policy, the resolution was not carried, the Commons in the course of this debate proved beyond doubt their determination to secure the impartiality of their Chairman.

That they succeeded in accomplishing their purpose may

CHARLES ABBOT (LORD COLCHESTER)

FROM THE PAINTING BY JOHN HOPPNER, R.A., IN THE NATIONAL PORTRAIT GALLERY

be gauged from the conduct and character of Abbot's successors. So divorced from all political prejudice is the modern Speaker, that he does not deem it consistent with his position to enter the portals of any political club of which he may happen to be a member. Even at a General Election he steers as widely clear of politics as possible. It is not, indeed, usual for his candidature to be opposed at such a time—though an exception was made as recently as 1895, when Speaker Gully was forced to contest Carlisle—and though he may appeal in writing to his constituents, he is not supposed to touch, in his election address, upon any political questions.

The duties of a Speaker may be summarized in a few words. As the representative of the House he alone of the Commons is privileged to communicate direct with the Crown, either as the personal bearer of an address, or at the bar of the House of Lords when the sovereign is present.[1] As the mouthpiece of the House he delivers on its behalf addresses of thanks to whomever Parliament delights to honour; he censures those who have incurred its displeasure. In his hands lies the issuing of writs to fill parliamentary vacancies; he alone can summon witnesses or prisoners to the bar of the House, or commit to prison those persons who have offended against its privileges. His powers have been greatly increased of late years by the discretion committed to him under various Standing Orders of accepting or refusing motions for the closure of debate. It is, besides, a part of the daily routine of the Chair to put questions to the vote, to declare the decision of the House, and, finally, to maintain order in debate.

Successfully to accomplish the last-named duty is a matter that requires all that a man has of tact, strength of character, and promptness of judgment. It is, above all things, necessary that by his personal integrity he should gain the confidence of the House, so that a willing acquiescence, and not a reluctant submission, may be given to the force of his decisions. He must, as Sir Robert Peel declared, have a mind capable of taking the widest view of political events, but at the same time able "to descend to the discussion of some insulated principle, to the investigation of some trifling point of order, some almost obsolete form, or some nearly forgotten privilege."[1]

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[1] Sir Arnold Savage, Speaker in Henry VI.'s time, was so voluble, and addressed the King so often, and at such length, that the latter's patience became exhausted, and he asked that all requests from the Commons might hereafter be addressed to him in writing.

Ever ready to quell turbulence with a firm hand, he must yet display an habitual urbanity of manner calculated to soothe the nerves of an irritable or excited assembly. He must make up his mind calmly and dispassionately, but on the spur of the moment, and, once his judgment is formed, adhere to it inflexibly. Difficult questions arise for his decision with startling rapidity; intricate points of order loom suddenly forth from a clear sky; and any show of vacillation would tend very materially to weaken the Speaker's authority.

When a member uses unparliamentary language, or makes a personal attack upon an opponent, the Speaker must summon his most persuasive powers to induce the culprit to withdraw the offensive words. At a moment's notice he has to decide a matter between two eminent debaters, who would be little likely to consult him on any private occasion, and give satisfaction to both. To a perpetual serenity, as a member once said in describing the Speaker's office, he must add "a firmness of mind as may enable him to repress petulance and subdue contumacy, and support the orders of the House, in whatever contrariety of counsels, or commotion of debate, against all attempts at infraction or deviation."[2]

To sum up, then, it may be urged that a Speaker should combine intellectual ability with those qualities of character which are the mark of what is called a "gentleman"—a term that has, perhaps, seldom been more aptly defined than in a speech in which Lord John Cavendish recommended the claims of a candidate to fill the chair vacated by the death of Sir John Cust in 1770.[1]

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[1] In 1818, on the election of Manners Sutton.

[2] Dr. Johnson's "Debates in Parliament," vol. ii. p. 2.

The physical qualifications necessary for the Speakership include a clear, resonant voice and a commanding presence. A little man with a flute-like falsetto might be endowed with the wisdom of Solomon and the virtue of Cæsar's wife, and yet fail to claim the respect of the House, even though he contrived to render audible his shrill cries of "Order!" When Sergeant Yelverton was elected to the Chair in 1597, he declared that a Speaker ought to be "a man big and comely, stately and well spoken, his voice great, his carriage majestical, his nature haughty, and his purse plentiful," [2] and, with the omission of the last qualification, now no longer necessary, the same may truly be said to-day.

The enjoyment of perfect health might also be added to this list, since only the most robust constitution can support the strain of labours which were always arduous, and, with the rapid increase of business and the prolongation of each succeeding session, grow annually more onerous.

Hour after hour does the Speaker sit in the splendid isolation of the Chair, listening to interminable speeches, of which no small proportion are insupportably wearisome.

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[1] Of his nominee for the Speakership Lord John declared that he had "parts, temper, and constitution." "And he has," he added, "besides the principle of common honesty, which would prevent him from doing wrong, a principle of nice honour, which will always urge him to do right. By honour I do not mean a fashionable mistaken principle, which would only lead a man to court popular reputation, and avoid popular disgrace, whether the opinion on which they are founded is false or true; whether the conduct which they require is in itself just or unjust, or its consequences hurtful or beneficial to mankind. I mean a quality which is not satisfied with doing right, when it is merely the alternative of doing wrong, which prompts a man to do what he might lawfully and honestly leave undone; which distinguishes a thousand different shades in what is generally denominated the same colour, and is as much superior to a mere conformity to prescribed rules as forgiving a debt is to paying what we owe." "Parliamentary History," vol. xvi. p. 737.

[2] D'Ewes' "Journal," p. 449.

"Like sad Prometheus, fastened to his rock,
In vain he looks for pity to the clock;
While, vulture-like, the dire [M.P.] appears,
And, far more savage, rends his suff'ring ears."[1]

He may not rest, though the cooing of Ministers on the immemorial front bench, and the murmur of innumerable M.P.'s, must often threaten to reduce the hapless listener to a condition bordering upon coma. He must pay the strictest attention to every pearl that falls from the lips of "honourable gentlemen," many of whom delight to air their vocabulary at an unconscionable length, and, like Dryden's Shadwell, "never deviate into sense." He must be ever ready to check irrelevancy, to avert personalities, to guide some discursive speaker back to the point at issue; nor is he upheld by the stimulus of interest which might possibly be his could he look forward to replying to the member who is addressing the House.

For the last hundred years it has been considered undignified for the Speaker to take any personal part in debate, even when the House is in Committee, though Speaker Denisón once broke this rule, and made a long speech upon some agricultural question. Speaker Abbot often spoke in Committee, and once actually moved an amendment to a Bill which had been read a second time, and succeeded in getting it thrown out. At a still earlier date, in 1780, we read of Sir Fletcher Norton inveighing vehemently against the influence of the Crown, and making a violent attack upon Lord North which resulted in what Walpole calls "a strange scene of Billingsgate between the Speaker and the Minister."[2] But though Speaker Norton, who was reputed to be the worst-tempered man in the House, could thus relieve his pent-up feelings in occasional bursts of eloquence, he took no pains to conceal his boredom, and during the course of a particularly tedious debate would often cry aloud, "I am tired! I am weary! I am heartily sick of all this!"[1] Speaker Denison, even, on one occasion, at the end of a protracted session, grew so anxious for release that when a tiresome orator rose to continue the debate he could not refrain from joining in the members' general chorus of "Oh! oh!"

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[1] "The Rolliad."

[2] Horace Walpole's "Letters," vol. vii. p. 340. (This Speaker's criticism of the royal expenditure on a later occasion roused the animosity of George III., and cost him the loss of the Chair.)

As a rule, however, modern Speakers seem able to exercise complete self-control, and, bored though they must often be, are polite enough to hide the fact. They cannot now have recourse to that flowing bowl of porter which Speaker Cornwall kept by the side of the Chair, from which he drank whenever he felt the need of a mental fillip, subsequently falling into a pleasing torpor which the babble of debate did nothing to dispel. To-day, indeed, the Speaker neither slumbers nor sleeps, and the advice given by the poet Praed to the occupant of the Chair during one of the debates of the first reformed Parliament would fall on deaf ears.

"Sleep, Mr. Speaker; it's surely fair,
If you don't in your bed, that you should in your chair;
Longer and longer still they grow,
Tory and Radical, Aye and No;
Talking by night, and talking by day;
Sleep, Mr. Speaker, sleep, sleep while you may!

"Sleep, Mr. Speaker; sweet to men
Is the sleep that comes but now and then;
Sweet to the sorrowful, sweet to the ill,
Sweet to the children who work in a mill.
You have more need of sleep than they;
Sleep, Mr. Speaker; sleep, sleep while you may!"

It is very necessary for the proper performance of his duties that a Speaker should possess good eyesight, and a memory exceptionally retentive of names and faces. In 1640, when a heated dispute rose between members of the House, several of whom claimed precedence of speech, a rule was made that whoever first "caught the Speaker's eye" should have the right to address the House.[1] This rule still holds good. Much confusion may therefore arise if the Speaker happens to suffer from obliquity of vision. Sir John Trevor squinted abominably; consequently two members would often catch his eye simultaneously, and decline to give way to one another.[2] To obviate this, a further rule was framed to the effect that the Speaker should call by name upon the member privileged to address the House—a rule which must often prove a severe tax upon a Speaker's memory.

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[1] May's "Constitutional History," vol. i. p. 503 n.

In former days, when there was any doubt as to who should speak, the matter was referred to the House, as is still the practice of the House of Lords. Nowadays it is settled by the Speaker. It is the usual practice of the Chair to fix an alternate eye upon either side of the House, and thus provide both parties with equal opportunities of speech.

The tension of this perpetual strain upon a Speaker's nerves is not altogether relieved when he quits the Chair. As long as the House is sitting it is obligatory upon him to remain within the precincts of the building, close at hand, lest the proceedings in Committee of the whole House come to an end, and the House be resumed, or in case a sudden emergency should arise to demand his immediate presence. And well it is that this should be so. Who that was present on that painful occasion in the summer of 1893, when for once the decencies of debate were violated, and the House degenerated into a bear-garden, can have forgotten the effect of Mr. Speaker Peel's sudden advent upon the scene?

Mr. Chamberlain had drawn a comparison between Herod and Mr. Gladstone. A Nationalist member retaliated by shouting "Judas!" at the member for West Birmingham.

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[1] "People say, when you get on the blind side of a man, you get into his favour; but it is quite the reverse with the members when they get on the blind side of the Speaker." Pearson's "Political Dictionary," p. 53.

[2] When Trevor was Master of the Rolls, a post he combined with that of Speaker, it was said that if Justice were blind, Equity was now seen to squint!

In vain did a weak Chairman seek to restore order, and when a Radical member crossed the floor and sat down in the accustomed seat of the Leader of the Opposition, he was at once pushed on to the floor by an indignant Unionist. This was the signal for an impulsive group of Nationalists to detach itself from the main body of the Irish party, and rush towards the front Opposition bench. In a moment the House was in an uproar. It is not known who struck the first blow, but before many moments had elapsed the floor of the Commons was the arena of a hand-to-hand struggle between hysterical politicians of all parties, while from the Government bench Mr. Gladstone watched this tumultuous scene with all the bitter emotions of one to whom the honour of the House was especially dear.

Meanwhile the Speaker had been sent for, and in an incredibly short space of time appeared upon the scene. With his advent hostilities ceased as suddenly as they had begun. The storm died away; passion quailed before "the silent splendid anger of his eyes." In the breasts in which but a moment ago fury had been seething there was now room for no feelings save those of shame.

The authority of the Chair is no doubt enhanced by the distinctive dress which a modern Speaker wears. The flowing wig and full robes have an important use. Mankind pays an involuntary homage to the pomp and circumstance of such attire. Perhaps it was because Lenthall possessed no peculiar costume to distinguish him from his fellows, but wore the short grey cloak and peaked hat of the Puritan, that he was subjected to the humiliation of having "Baugh!" shouted in his astonished ear. Indeed, were a modern Speaker dressed "in smart buckskin breeches, with well-topped boots, a buff waistcoat and blue frock-coat, with a rosebud stuck in the buttonhole," as a Parliamentary writer of the last century suggested, "he might roar to the crack of his voice before he would be able to command order in a tempestuous debate."[1]

During the first four centuries of Parliament the Speaker received no regular salary adequate to his needs. In 1673, Sir Edward Seymour was paid £5 a day, and relied for the remainder of his income upon the fees on private bills which accompanied the office. Other Speakers in the past were remunerated by the gift of Government appointments or sinecures conferred upon them by the Crown. This casual system was put a stop to in 1790, when a fixed salary was first paid by the House to its chief officer.

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[1] Barnes's "Political Portraits," p. 218.

For the next fifty years the Speaker could also claim valuable perquisites in the shape of equipment money, amounting to £1000, at the commencement of each new Parliament, a service of plate (valued at about the same sum), and a sessional allowance of £100 for stationery. He was also permitted to carry the Chair away with him at the end of every Parliament, and Speaker Onslow is said to have thus acquired five of these bulky pieces of furniture, the disposal of which in his private residence must have afforded him a perplexing problem.[1]

The Speaker also received a gift of wine and a Christmas present of broadcloth from the Clothworkers' Company ; and, as a buck and doe were sent to him annually from the Royal Park at Windsor, had probably more opportunities of burying venison than any of his contemporaries. The £1000 equipment money is still provided, and a service of plate, while an adequate supply of stationery is substituted for the allowance.

As "First Commoner" the Speaker takes precedence of all others, and among his many honorary dignities is the Trusteeship of the British Museum, to which all Speakers, since and including Arthur Onslow, have been appointed. His present salary amounts to £5000 a year, and he is also provided with an official residence in the Palace of Westminster, exempt from the payment of all rates and taxes.

Out of this income he is expected to entertain, and invitations to the "Speaker's Dinners" have come to be looked upon as one of the minor delights of membership. During the eighteenth century the Speaker was in the habit of giving evening parties and official dinners on the Saturdays and Sundays of the session.[1] Speaker Abbot, in his Diary, describes one of these dinners at which twenty guests were entertained. "The style of the dinner was soup at the top and bottom, changed for fish, and afterwards changed for roast saddle of mutton and roast loin of veal." The wine was champagne, Hock, Hermitage, and (which sounds unpleasant) iced Burgundy.[2] His successors have always continued the practice of holding regular weekly entertainments of a social character, at which the members attend in *levée* dress, and it is doubtful whether any guest to-day would follow the example of Cobbett, who declined an invitation to dine with Speaker Manners Sutton on the grounds that he was "not accustomed to the society of gentlemen."[3]

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[1] None of these chairs is to be found at Clandon, nor has the Onslow family any record of their existence, so perhaps the story of this particular perquisite is nothing but a legend and a myth.

In old days, as we have seen, the Speakership was often a stepping-stone to some higher appointment. Sir Thomas More, "the first English gentleman who signalized himself as an orator; the first writer of prose (as Townsend calls him) which is still intelligible"[4]—whatever that may mean—was also the first lay Chancellor of England. It was not considered strange for the Speaker to hold some ministerial appointment both while he sat in the Chair and after his retirement. Sir Edward Coke was Solicitor-General as well as Speaker; Harley occupied the office of Secretary of State and the Chair simultaneously. Spencer Compton was Paymaster-General as well as Speaker, and, as Lord Wilmington, became Prime Minister in 1742. Nor was he the only Speaker to exchange the Chair for the Premiership. Addington succeeded Pitt in that office in 1801; Grenville became Prime Minister in the Government of "All the Talents," five years later; and Manners Sutton is said to have been urged by the Duke of Wellington to form a Ministry in 1831–2.[1]

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[1] Pellew's "Life of Sidmouth," vol. i. p. 368.

[2] "Diary of Lord Colchester," February 2, 1796.

[3] Dalling's "Historical Characters," vol. ii. p. 181.

[4] Townsend's "History of the House of Commons."

Nowadays, when a Speaker finally relinquishes the Chair, it would be considered derogatory to his dignity for him to reappear in the House as a simple member of Parliament. Addington did so, but soon realized the difficulty of his position, and requested that he might be elevated to the House of Lords.

It has long been the custom for the Commons to ask the Crown to recognize in a material fashion the services of a retiring Speaker. He is allowed a pension of £4000 a year, and, ever since the retirement of Abbot in 1817, a peerage of the rank of a viscountcy has been conferred upon him.

Placed in a position of extraordinary trust, hedged about with the lofty traditions of his office, weighed down by heavy responsibilities, engaged in a sedentary occupation during the greater part of the day or night, a Speaker may well agree with that candid correspondent who, in congratulating Addington on his elevation to the Chair in 1789, referred to the Speakership as "one of the most awful posts I know."[2]

In the long list of those who have so ably guided and controlled the proceedings of the House of Commons during the last hundred years, many names stand forth conspicuously —Manners Sutton, Shaw Lefevre, Denison, Brand, Peel. No Speaker has ever fallen short of the trust reposed in him, or failed in his duty to the House, and it may confidently be asserted that so long as the standard of English political life maintains its present high level, no difficulty will ever be experienced in providing the Chair with an occupant who shall fill it, not only worthily, but with distinction.

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[1] "Croker Papers," vol. ii. p. 164.

[2] Pellew's "Life of Sidmouth," vol. i. p. 66.

CHAPTER VIII

THE OPENING OF PARLIAMENT

PARLIAMENT, like everything else, must have a beginning. The opening of a session which is also the commencement of a new Parliament is an event which tradition invests with all the accompaniments of what Cobden contemptuously referred to as "barbaric pomp." The inaugural rites are performed with a stately ceremonial of which Selden himself would have approved[1]; everything is done to make the pageant as impressive as possible.

The actual business of the opening may be described as extending over several days, the climax being reached when the sovereign arrives in person to deliver his speech.

The opening itself is nowadays performed by a Commission issued for that purpose under the Great Seal. On the day appointed by royal proclamation for the meeting of a new Parliament, the Houses assemble in their respective chambers. Before doing so, however, special precautions have been taken to ensure the safety of our legislators. A picturesque procession, composed of Yeomen of the Guard in their striking uniforms, makes its way through the numerous subterranean vaults of the Palace of Westminster, seeking diligently for the handiwork of some modern Guy Fawkes. This now familiar search is an ancient custom kept up more in accordance with popular sentiment than for any practical reason. The duties of the Beefeaters have no doubt already been anticipated by the police, but though the fruitlessness of their quest is now a matter of regular recurrence, they persistently refuse to be discouraged, and the search is prosecuted with renewed hopefulness at the commencement of every session.[1]

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[1] "Ceremony," says Selden, "keeps up all things ; 'tis like a penny glass to a rich spirit, or some excellent water ; without it the water will be spilt, the spirit lost."

At two o'clock in the afternoon, the Lord Chancellor, preceded by the Mace and Purse, and attended by his Train Bearer, enters the House of Lords by the Bar. He is dressed in his robes, and when he has taken his seat, places his cocked hat upon his head. Four other Lords Commissioners, similarly attired, are seated beside him on a bench situated between the Woolsack and the Throne. From this point of vantage the Chancellor summons the Gentleman Usher of the Black Rod, and commands him to inform the Commons that their immediate attendance is desired in the House of Lords to hear the Commission read.

The post of Gentleman Usher of the Black Rod dates from the reign of Henry VIII. By the constitution creating the Order of the Garter, he was to be an officer "whom the Sovereign and Companions will shall be a gentleman famous in Arms and Blood, and live within the Dominions of the Sovereign, and, for the dignity and honour of the Order, shall be chief of all Ushers of this Kingdom, and have the care and custody of the doors of the High Court called Parliament." Black Rod, either personally or through his deputy, the Yeoman Usher, fulfils in the House of Lords the functions which are performed in the Lower House by the Sergeant-at-Arms of the Commons. As custodian of the doors of Parliament, he once had the right to appoint all the doorkeepers and messengers of the House of Lords, as well as his assistant, the Yeoman Usher. He used in old days to sell these appointments for large sums, and as his fees brought him in a substantial income—in 1875 they amounted to £5300—and he was also provided with an official residence, his post was one to be coveted. The system of paying officials by fees was, however, abolished in 1877, and Black Rod's annual salary was fixed at £2000, which to-day has been reduced by half, while his residence has been taken from him and given to the Clerk of the Parliaments.

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[1] They even carry lighted lanterns, though the whole place is ablaze with electric light!

On receipt of the Lord Chancellor's command, Black Rod at once obeys—he is usually a retired naval or military officer and the spirit of discipline is still strong within him—and repairs to the Lower House to deliver his message.

Meanwhile a busy scene is being enacted in the House of Commons. From the earliest hours before the dawn members have been gradually assembling at Westminster. At the gates of Palace Yard a respectful crowd collects to watch the arrival of the nation's lawmakers. Motor-cars, carriages, and the more humble public conveyances flow in a ceaseless stream through the Commons' gates. The traffic at the corner of Whitehall is perpetually held up to allow some member to cross the street in safety, much to the annoyance of travellers who desire to catch a train at Waterloo Station. Smiling police constables salute the old familiar faces, carefully scrutinizing the new ones for future reference.

The House within presents something of the appearance of a school on the first day of a new term. The old boys welcome each other effusively, exchanging holiday reminiscences; the new boys wander timidly about the precincts, seeking to increase their topographical knowledge. Friend greets friend with all the warmth engendered by separation; colleagues describe their own, and inquire tenderly after one another's, ailments. Even the bitterest opponents may be seen congratulating each other on re-election, or exchanging accounts of their individual experiences during the recess. An atmosphere of peace and goodwill pervades the whole House.

All is bustle and confusion in the Chamber itself, where members hasten to secure places on the green benches upon either side of the Speaker's Chair. By the rules of the House no member has a right to reserve a seat unless he has been present within the precincts during prayers, and has staked out his claim either with a hat or a card provided for the purpose. The hat used on this occasion must be a member's own "real working hat." He may not arrive with two hats, one to wear and the other to employ as a seat-preserver; nor is he permitted to borrow the headgear of a friend who has already secured a seat. A story is told of some wily member appearing at Westminster, on the morning of an important debate, in a four-wheeler brimming over with hats which he proposed to distribute upon the benches in order to retain places for his party. Such conduct, however, though ingenious, is strictly contrary to regulations, and could scarcely hope to escape the vigilant eye of the Sergeant-at-Arms.

Certain privileges are accorded to members who by reason of their distinguished position, or long service in the House, have acquired a claim to particular seats. The two front benches on either side have long been reserved for the more prominent politicians. On the right of the Chair is the Treasury Bench, where Ministers sit; while the front seat facing them is occupied by the leading members of the Opposition. It has been customary for Privy Councillors to sit on these two benches, and at the opening of Parliament the members for the City of London may claim a similar privilege.

The right of Cabinet Ministers to occupy front seats, now undisputed, was sometimes questioned in olden days. In 1601, as the outcome of complaints on this subject, Robert Cecil, then Secretary of State, offered to give up his place most willingly to any member who wished to sit near the Chair. "We that sit here," he said, "take your favours out of courtesy, not out of right."[1] Courtesy, has, indeed, generally been displayed by members on this particular question, though there have been occasional exceptions. That rough diamond, Cobbett, who was frequently complaining of the lack of space in the House, occupied Sir Robert Peel's accustomed seat one day, as a protest against the insufficient accommodation of the Chamber. No notice,

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[1] D'Ewes' "Journal," p. 630.

THE TREASURY BENCH IN 1863
FROM AN ENGRAVING AFTER THE PAINTING BY J. PHILIP

however, was taken of his conduct, and his rude but legitimate methods have never since been emulated.

A member who has been honoured by a parliamentary vote of thanks, or has grown grey in the service of the House, is usually allowed to retain his seat.[1] Hume, who attended every single debate during the period of his membership, for years occupied the same bench close to one of the pillars supporting the gallery above the Speaker's Chair. "There is Joseph," remarked a wag who was not above making a pun, "always at his *post!*"[2]

Otherwise members may sit wherever they please, provided they have qualified by presence at prayers. Certain positions in the House have, however, come to be regarded as symbolical of the political views of their occupants. Supporters of the Government sit on the right and those of the Opposition on the left of the chair. The aisle or passage that divides the House transversely has always acted as a sort of political boundary, and members who are independent of either party proclaim their freedom by sitting "below the gangway." Here on the Opposition side the Irish party has sat for many years; here, too, the Labour members mostly congregate.

On the opening day the Speaker's Chair is, of course, vacant, and the mace reposes peacefully underneath the table. The duties of Chairman are undertaken by the Clerk of the House, who sits in his usual place, and presides in dumb show over the proceedings.

The clerkship of the House of Commons is an important post, and has been in the hands of many capable and distinguished men. Among the famous lawyers who have held this office may be instanced Elsynge—ridiculed in Hudibras as "Cler: Parl: Dom: Com:"[3]—Hatsell, Erskine May, and

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[1] Sir George de Lacy Evans (1787–1870) was the last member honoured by being allowed to retain the seat in which he had received his vote of thanks.

[2] Grant's "Random Recollections," p. 7.

[3] "Hudibras," vol. i. p. 120. During the first years of the Long Parliament Elsynge brought so much distinction to the position that his authority was said to be greater than that of the Speaker (Lenthall).

Palgrave, all of whom have made valuable literary contributions to the annals of parliamentary history.

The post has also been temporarily filled by persons of considerably less eminence. In 1601, for example, Fulk Onslow, who was then clerk, was permitted to appoint his servant, one Cadwallader Tydder, to act as his deputy. Again, in 1620, the clerk being incapacitated by illness, his son was allowed to take his place, and it was advised that a lawyer should sit beside him "with a hat upon his head" to assist the youth in his unaccustomed *rôle*.[1] It is the Clerk's duty to record the proceedings, edit the Journals, and sign any orders issued by the House. Up to the year 1649, when he was given an annual salary of £500, his income consisted of £10 a year (paid half-yearly!) and certain fees on private bills. A collection, amounting to about £25,[2] to which all members were expected to contribute sums varying from 5*s.* to £1, was also made for him at the close of the session. This sounds a paltry sum, but Hatsell is said to have made £10,000 a year while Clerk of the House, among his other perquisites being a *douceur* of £300, which the Clerk Assistant paid to his chief for the privilege of appointment. In those days the Clerk could also earn small sums by copying Bills or making extracts from the Journals of the House for members, who paid him at the rate of ten lines a penny, though if they declared upon oath that they were unable to pay this sum, no charge was made for the work.[3]

The arrival of the messenger from the House of Lords is heralded in the lobbies by loud cries of "Black Rod!" The door of the House of Commons is flung open, and the Gentleman Usher, in full uniform and decorations, and bearing the

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His abilities, "especially in taking and expressing the sense of the House," became so conspicuous that "more reverence was paid to his stool than to the Speaker's chair."—Wood's "Athenæ Oxonienses," vol. iii. p. 363.

[1] Hatsell's "Precedents," vol. ii. p. 251 n.

[2] D'Ewes' "Journal," p. 688.

[3] "Modus Tenendi Parliamentum," p. 46

wand of his office in his hand, advances in a stately fashion up the floor of the House and delivers his message. He then retires backwards as gracefully as possible until he reaches the Bar, where he awaits the arrival of the Clerk. The two now walk together, attended by as many members as care to accompany them, to the Bar of the House of Lords, where the Lords Commissioners are awaiting their advent.

As soon as the Commons' contingent appears, the Lord Chancellor orders the reading of the Letters Patent constituting the Commission for the opening of Parliament, and when this task has been performed by the Reading Clerk of the House of Lords, desires the faithful Commons to retire and choose a Speaker. With this purpose in view the members return forthwith to the Lower House.

The election of a Speaker is the most important part of the day's business, for without it the House of Commons cannot be constituted, nor can members be permitted to take the oath.

Theoretically a Speaker leaves the Chair with the Parliament that elected him. Practically, nowadays, he is retained in office. He is reappointed with the usual ceremonies at the beginning of every Parliament, and it is rare for an incoming Ministry to supplant the occupant of the Chair, even though he may have been the nominee of political opponents. Manners Sutton was six times Speaker, Arthur Onslow five times, while Shaw Lefevre, Denison, and Peel each occupied the Chair in four successive Parliaments. Since their day an unwise and abortive attempt was made to replace Speaker Gully by a Conservative nominee in 1895, but it is unlikely that such an incident will recur.

The motion for a Speaker's election is made by a member on the Government side of the House, and usually seconded by a member of the Opposition, both being called upon to speak by the Clerk who silently points his finger at each in turn. If it is intended to contest the election, the two candidates put forward are proposed and seconded separately by members of their own party. The question that the Government candidate "do take the Chair of this House as Speaker" is first put by the Clerk, and divided upon in the ordinary way. If a majority of the House is in favour of the election of this candidate, no further division is necessary. If not, the same proceeding is carried out with regard to the second candidate. In such cases it has been the custom for each nominee to vote for his opponent. The division is naturally one of intense interest. Perhaps the most exciting elections of a Speaker that have ever occurred were those that took place in 1835 and 1895. On the first occasion Abercrombie was elected to replace Manners Sutton, by the narrow margin of ten,[1] and in 1895 Speaker Gully's majority only exceeded this by a single vote.

"When it appeareth who is chosen," says Elsynge, "after a good pause he standeth up, and showeth what abilities are required in the Speaker, and that there are divers amongst them well furnished with such qualities, etc., disableth himself and prayeth a new choice to be made. After which two go unto him in the place where he sits and take him by the arms, and lead him to the chair."[2] In old days it was customary for the Speaker-Elect to "disable" himself at great length and in the humblest possible terms. Christopher Wray, in 1570, spoke for two hours in this self-deprecatory style. Sergeant Yelverton, twenty-six years later, explained his unfitness for the post in a lengthy harangue in which he remarked that if "Demosthenes, being so learned and eloquent as he was, one whom none surpassed, trembled to speak before Phocion at Athens, how much more shall I, being unlearned and unskilful, supply this place of dignity, charge, and trouble to speak before so many Phocions as here be?"[3] Other Speakers put forward "a sudden disease," "extreme youth," or some similar disability as their excuse for escaping from the service of the Chair. Even as late as the beginning of the eighteenth century Sir Spencer Compton thought it necessary to declare to the Commons that he had "neither the memory to retain, the judgment to collect, nor the skill to guide their debates."[1]

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[1] Torrens' "Life of Graham," vol. ii. p. 30.

[2] Elsynge's "Parliaments of England," pp. 160 and 161.

[3] D'Ewes' "Journal," p. 549.

This excessive humility on the part of a Speaker-Elect has now disappeared, together with the ridiculous old custom whereby it was considered correct for him to evince actual physical reluctance to take the Chair. It was once deemed proper for the newly elected Speaker to refuse to occupy the exalted throne that awaited him until his two supporters had seized him by the arms and dragged him like some unwilling victim to the scaffold. To-day, he "goes quietly," as the police say; the proposer and seconder lead him gently by the hand, and he gives his attendants no trouble at all.

After the Speaker has taken the Chair, the mace is laid upon the table before him, the leaders of either Party offer their congratulations, and the business of the day is over.

When Parliament meets once more, on the following afternoon, the Chancellor and his four fellow Lords Commissioners, attired as before, in their robes, resume their seats upon the bench in the House of Lords, and Black Rod is again commanded to summon the Commons. This time his task is not so simple. When the messenger from the Lords arrives at the door of the House of Commons, he finds it barred against him, nor is it opened until he has knocked thrice upon it and craved permission to enter. This custom of refusing instant admittance to the Lords' official dates from those early times when messages from the Crown were regarded by the jealous Commons with feelings bordering on abhorrence.

The Speaker-Elect, clad in his official dress, but without his robe, and wearing upon his head a small bob-wig in place of that luxuriant full-buttomed affair which he is so soon to don, has already taken his seat in the Chair, making three profound obeisances to that article of furniture as he advances towards it.

When Black Rod has delivered his message, the Speaker-

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[1] Townsend's "History of the House of Commons, vol. i. p. 228.

Elect, surrounded by his official retinue, proceeds at once to the House of Lords. Here he is politely received by the Lords Commissioners, who raise their hats three times in acknowledgment of his three obeisances. After acquainting the Lords Commissioners of his recent election, he humbly submits himself to the royal approbation. The Lord Chancellor thereupon expresses His Majesty's approval of the Commons' choice, and the election of the Speaker is confirmed. In former days the sovereign was in the habit of undertaking this duty in person. On January 27, 1562, Queen Elizabeth came to Westminster in her state barge, "apparelled in her mantles open furred with ermine and in her Kyrtle of crimson velvet closed before, and close sleeves, but the hands turned up with ermine. A hood hanging loose round about her neck of ermine. Over all a rich collar set with stones and other jewels, and on her head a rich call."[1] Thus attired, she proceeded to give the royal assent to the election of the Speaker. This nowadays is a mere formality—it has indeed only once been refused, in 1678, when Charles II. declined to sanction the election of Sir Edward Seymour—and is given by the Lords Commissioners on the sovereign's behalf.

In the days when the sovereign was in the habit of being present in the House of Lords to ratify the choice of Speaker, the latter would often excuse himself to his monarch in terms even more abject than he had used in the Lower House. Before the election of Sir Richard Waldegrave, in 1381, Speakers did not excuse themselves at all, and until Henry VIII.'s time they do not seem to have done so as a matter of etiquette, but merely from personal motives, wishing to ingratiate themselves with the sovereign in whose pay they were and to whom they looked for advancement. But towards the middle of the sixteenth century they began regularly to address the king in a fulsome fashion.[2] In 1537, for instance, we find Speaker Rich grovelling in abject prostration at the royal feet, and comparing the King to Solomon, Samson, Absalom, and most of the other heroes of Old Testament history. Even among the Speakers of that day, however, there were men who refused to demean themselves to this form of flattery, and Queen Elizabeth was once forced to listen patiently while Richard Onslow, who declared himself to be "a plain speaker, fit for the plain matter, and to use plain words," delivered to Her Majesty an "excellent oration," which lasted for two solid hours.[1]

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[1] "The Order for Proceeding to the Parliament" (from the MS. at the College of Arms).

[2] For a particularly servile speech of this kind see "The Sovereign's Prerogative," p. 7.

This practice is fortunately extinct, but one other custom of Henry VIII.'s time still obtains. To-day the Speaker, on receipt of the royal approbation, takes the opportunity of at once demanding the "ancient and undoubted rights and privileges of the Commons"—freedom from arrest, liberty of speech, access to the royal person, and that a favourable construction be put upon their proceedings—and on his own behalf begs that whatever error may occur in the discharge of his duties shall be imputed to him alone, and not to His Majesty's faithful Commons.

These ancient rights and privileges having been confirmed by the King, through his Lords Commissioners and by the mouth of his Lord Chancellor, the Speaker withdraws to the Lower House. There he acquaints the Commons of the result of his recent pilgrimage, and gratefully assures them once more of his complete devotion to their service. After retiring for a few moments to make the necessary alterations in his costume, he returns, clad in his robe and wearing his full-bottomed wig, and is now a complete and perfect Speaker.

While this is going on, the Upper House has temporarily adjourned to unrobe, and afterwards resumes to enable the Lords to continue taking the Oath, which is meanwhile being administered to the Commons.

Prior to the sixteenth century, members of Parliament were not required to swear; the Lords did not do so until

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[1] "Observations, Rules and Orders collected out of Divers Journals of the House of Commons," p. 25.

1678. But the Act of Supremacy of 1563 made it necessary for all members of the Commons to take the oath, and in 1610 were introduced further oaths of Allegiance and Abjuration which were maintained until 1829. The old oaths aimed at excluding Roman Catholics from Parliament, and the regulation which in 1614 ordered every member to take the sacrament in St. Margaret's Church on the Opening Day was but another means of ensuring the religious loyalty of the Commons.

Members of the Lower House cannot take the oath until their Speaker has been approved and sworn ; the Lords may do so as soon as Parliament opens. In the Upper House the oath may be taken at any convenient time when the House is sitting ; in the House of Commons likewise it may be taken whenever a full House is sitting at any hour before business has begun.

The Lord Chancellor leads the way in the House of Lords. When he has presented his writ of summons, repeated the formal words of the Oath of Allegiance after the Clerk, kissed the New Testament, and subscribed to the Test Roll, he resumes his seat on the Woolsack. The peers then succeed one another in rapid rotation at the table, handing their writs of summons to the Clerk, and following the Chancellor's example.

In the Commons the Speaker first takes the oath in a very similar fashion, and writes his name in the Roll of Members. After this ceremony is accomplished, members come up to the table in batches of five, and are sworn simultaneously. They then shake hands with the Speaker, and can now consider themselves full-fledged members of Parliament.

Up to the middle of the last century three oaths had to be taken by every member of either House: the oaths of Allegiance, of Supremacy, and Abjuration. There was further a declaration against transubstantiation which effectually excluded Roman Catholics. But in 1829 these last received relief, though the final words of the Oath of Abjuration still kept out the Jews.[1] In 1849 Baron Lionel de Rothschild was excluded from the Commons because of his failure to swear on "the true faith of a Christian." He accepted the Chiltern Hundreds, but was again returned to Parliament by the City of London. And though he once more failed to obtain permission to vote in the House, he was allowed to sit there until 1857.[2] Six years before this latter date another Jew, Alderman Salomons, insisted upon taking his seat and voting in a division. He was forcibly ejected by the Sergeant-at-Arms, and subsequently fined £500 in the Exchequer Court as a penalty for voting without having previously taken the oath. In 1858 an Act was passed substituting a single oath for the former three, and giving both Houses power to deal with the Jewish difficulty by resolution, but it was not until 1866 that the words referring to Christianity were finally omitted from the oath.

The refusal of Quakers and atheists to take the oath disturbed for many years the peace of mind of Parliament, and was the subject of frequent legislation. In 1832 the Quaker Pease was elected for a Durham division, and claimed the right of affirming instead of taking the oath. A Committee was appointed to consider the validity of such an affirmation, and came to the conclusion that this form might be substituted harmlessly for the more usual oath.

The case of the atheist Bradlaugh, which lasted for nearly ten years, was a much more complicated affair, and presented endless difficulties to the parliamentary mind.

We have grown more broad-minded during the last fifty years, and the story of Bradlaugh's persecution sounds incredible to modern ears. This unfortunate man was hounded and harassed with a degree of intolerance which was almost mediæval in its ferocity. Politicians of every grade combined to insult and bait him; he became the butt of Parliament, and evoked from men who had hitherto shown but little zeal in their faith a religious ardour of the most fanatical and bigoted description.

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[1] A peer in support contended that otherwise a Jew might become Lord Chancellor. "Why not?" asked Lord Lyndhurst, in an undertone. "Daniel would have made a very good one!" (Atlay's "Victorian Chancellors," vol. i. p. 61.)

[2] Failure to take the oath only prevents a member from sitting within the Bar, voting in divisions, and taking part in debate. It does not disqualify him from the other privileges of membership, nor does it render his seat vacant.

Bradlaugh was returned to Parliament as member for Northampton in 1880. As an atheist it was against his principles to swear upon the Bible. When, therefore, he presented himself in the House of Commons with the intention of taking his seat, he asked to be allowed to affirm instead of taking the oath. The fact of his being entirely devoid of any religious beliefs or scruples rendered an affirmation in the form usual in Parliament practically valueless. His request was accordingly refused, and when he declined to withdraw from the House, he was committed to the custody of the Sergeant-at-Arms.

Many members of the House of Commons were determined to prevent such a man from taking his seat, and for a long time its doors remained closed against him. Lord Randolph Churchill made a violent attack upon him on the 24th of May, in the course of which he read an extract from Bradlaugh's book, "The Impeachment of the House of Brunswick," hurling the offensive volume on the floor and trampling it underfoot. The House of Commons has always disliked anything that borders upon melodrama, and this action, more suited to the boards of the Adelphi than to the stage of Parliament, fell as flat as Burke's famous dagger.[1] But the spirit that prompted it was the popular one, and it long seemed impossible for an atheist to sit in the House.

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[1] In 1792 a sample dagger was sent from France to a Birmingham firm, who were asked to make 3000 more of similar pattern. They thought the order suspicious, and consulted the Secretary of State. Burke happened to call at the latter's office, saw the dagger there, and borrowed it. During the Second Reading of the Aliens Bill he hurled this weapon on to the floor of the House, exclaiming, "Let us keep French principles from our heads, and French daggers from our hearts!" The Commons were not impressed, and only laughed, while Sheridan whispered to a neighbour, "The gentleman has brought us the knife, but where is the fork?" Another attempt at dramatic effect, equally

On July 1, Gladstone moved a resolution allowing members who could not conscientiously take the oath to affirm, subject to any legal liabilities they might incur, and on the following day Bradlaugh made the necessary affirmation. The affair did not end here, however. The legal authorities had been stirred up to investigate the judicial aspect of the case, and decided that a man of Bradlaugh's opinions was by law disqualified from affirming. He thus lost his seat, but was promptly re-elected. Whereupon the House of Commons carried a resolution that he be not permitted to go through the form of repeating the words of the Oath, which, as far as Bradlaugh was concerned, was an absolutely meaningless formality, and, in the opinion of many, an act of sheer blasphemy.[1]

When Bradlaugh next attempted to take his seat, a further resolution was carried excluding him altogether from the House. He refused, however, to acquiesce in this view of the situation, and, after giving due notice of his intention to the Speaker, forced his way into the House, whence he was removed with some difficulty by the Sergeant-at-Arms and police.

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unsuccessful, occurred on the second reading of the Reform Bill in 1831. Lord Brougham spoke for four hours, fortified by frequent draughts of mulled port. At the end he exclaimed, "By all the ties that bind every one of us to our common order and our common country, I solemnly adjure you—yea, on my bended knees, I supplicate you—reject not this Bill!" With these words he fell upon his knees, and remained in this attitude so long that his friends, fearing that he was suffering as much from mulled port as emotion, picked him up and replaced him on the Woolsack.

[1] Bradlaugh is not the only politician who has failed to interpret the words of the Oath in too literal a sense. Walpole became possessed of some treasonable letters written by William Shippen, a Jacobite and violent opponent of his. Walpole sent for Shippen, and burnt the incriminating papers in his presence. Later on, when Shippen was taking the oath of allegiance in the Commons, Walpole, who stood near and knew the other's principles to be as treasonable as ever, smiled. "Egad! Robin," said Shippen, "that's hardly fair!"

For a short time he remained quiet, and then suddenly, in 1882, he reappeared in the House of Commons, walked alone to the Table, administered the oath to himself, and claimed the right to sit. Upon a motion of Sir Stafford Northcote he was once more expelled, and once more the electors of Northampton returned him as their representative.

During the two following years Bradlaugh brought actions against the Sergeant-at-Arms and his deputy, and tried to induce a court of law to restrain these officials from carrying out the orders of the House. His efforts, however, were vain, the courts deciding that the Commons had a perfect right to control their own internal affairs.

In 1884 he again entered the House and took the oath. He was again excluded from the precincts, applied for the Chiltern Hundreds, and was again returned for Northampton.

Meanwhile he had voted in several divisions, and the Attorney-General, on behalf of the Crown, brought an action against him to recover three separate sums of £500, as penalties for having voted without previously taking the oath.

For two more years the conflict continued to rage round the burly figure of this remarkable man. By 1886, however, the Commons had grown weary of this ceaseless and senseless persecution, and Bradlaugh was at last permitted to take his seat; and in 1888 an Act was passed extending the right to affirm to those who state that they have no religious belief.

Parliament thus gradually came to take a broader view of the situation, and during Bradlaugh's absence, in 1891, the House of Commons passed a resolution expunging from the Journals the original motion whereby he was prevented from affirming. Thus ended a long controversy, in the course of which the much-harassed victim had behaved with exemplary self-control, only once showing signs of annoyance, when the rough handling to which he was subjected by the police resulted in the breakage of a favourite stylographic pen.

This taking of the oath or making an affirmation at the commencement of a new Parliament is the only introduction necessary for a member who has been elected during the recess, or of a peer who has succeeded to a title.

The introduction of a newly created peer, or of one who has been elevated to higher rank, is a ceremony that strikes the spectator as quaint or impressive, according as he has or has not a sense of humour. Attired in his robes, and supported by two other peers of his own degree, who act as his sponsors, the new peer walks slowly up the floor of the House of Lords, preceded by a procession of State officers—Black Rod, Garter King-at-Arms, the Hereditary Earl Marshal of England, and the Lord Great Chamberlain, in full dress.

On reaching the Woolsack the neophyte falls upon one knee and presents to the Lord Chancellor, and receives back from him, his patent of peerage and his writ of summons, both of which are read aloud by the Reading Clerk. The new peer then takes the oath and signs the roll, and is led by his supporters and the officers of State on a ceremonial pilgrimage round the Chamber to the bench on which he is by rank entitled to sit. Here the three peers in their scarlet robes seat themselves. They are, however, only allowed a few moments' rest, and at a pre-concerted signal the trio rise together and lift their hats in unison to the Chancellor, who responds in similar fashion. Three times this gesture is repeated, after which the original procession is reformed, and the new peer retires, shaking hands with the Chancellor on his way.

Much the same procedure is followed in the case of bishops, though spiritual peers are not preceded by the Great Officers, nor have they any patent to present. Representative peers of Scotland or Ireland are not introduced in this formal manner, but merely take the oath and sign the roll.

The introduction of a member of the House of Commons, elected in the course of the session, is a somewhat similar but less formal affair. Accompanied by two other members of Parliament he advances up the floor of the House, " making his obeisances as he goes up, that he may be better known to the House," and frequently evoking cheers from the party to which he belongs.[1] He may take the oath at any time, if the Clerk of the House has received the certificate of his return. In 1875 Dr. Kenealy, whose methods of conducting the defence of the notorious Tichborne claimant had alienated the respect of most right-thinking men, was unable to persuade any member to introduce him in the House of Commons. At last, out of sheer kindness of heart, John Bright declared that he would accompany the unpopular member. He was not called upon to do so, however, the rule being in this instance dispensed with, at Disraeli's suggestion, and Kenealy walked alone to the Table.

The swearing in of peers and members occupies several days, and by the time this task is accomplished Parliament is ready to listen to the King's Speech, with which every new session is opened.

This final ceremony is a State function of the most picturesque and spectacular description. The road leading from Buckingham Palace to Westminster is lined with troops; flags fly from all the public buildings; the pavements and windows along the route are packed with sightseers. In the famous glass coach, drawn by the fat cream ponies so dear to the heart of every loyal subject, the King and Queen drive in State to the House of Lords. Here they are met by the Lord Chancellor, Purse in hand, while the Great Officers of State form a long procession through the Royal Gallery, and precede their Majesties into the Gilded Chamber.

The House presents a magnificent spectacle. Every bench is crowded with peers in their scarlet and ermine robes. At their sides sit the peeresses in evening dress, adorned, according to custom, with feathers and veils, while the Woolsacks in the centre of the House are occupied by the Judges arrayed in their judicial finery, and in a box at one side are the Ambassadors and Ministers of Foreign

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[1] Hatsell adds that it was contrary to custom for members so introduced to appear in top-boots. Hatsell's "Precedents," vol. ii. p. 85.

Powers.[1] The galleries are filled with specially privileged visitors of both sexes, and, as the royal procession enters, the whole assembly rises to its feet and remains standing until their Majesties have reached the two thrones at one end of the Chamber.

On taking his place upon the throne, the King bids the peers to be seated, and, through the Lord Great Chamberlain, commands Black Rod to inform the Commons that it is His Majesty's pleasure that they attend him immediately in the House of Lords.[2]

The delivery of this royal message to the Commons is the signal for a stampede of members towards the Upper House; grave politicians vieing with one another in the endeavour to be first at the Bar of the Lords. O'Connell compared the rush of members on such occasions to that of a pack of boys released from school, scrimmaging together to get out of the class-room. In their haste to arrive at the goal, the Commons are apt to hurry the unhappy Speaker before them like the sacrificial ox, urged along reluctant to the horns of the altar.[3] The rude incursion of the Commons once provoked the Yeoman of the Guard, who kept the doors of the Lords, to shut it in their faces. "Goodmen burgesses," said the Sergeant of the Guard, in 1604, "ye come not here!" much to the Commons' indignation.[4] Members have often had their clothes torn in the confusion and tumult of this rush, and one at least has suffered a dislocated shoulder. Sir Augustus Clifford, who was Black Rod in 1832, lost his hat and was physically injured in a *melée* on the opening day. In 1901, the first opening of Parliament by the sovereign in a new reign, after a long discontinuance of the ceremony, and the number of new members after a general election, combined to make the occasion exceptional. In spite of the employment of eighty extra police, engaged to keep the way clear for the Speaker's procession, several persons were badly hurt, owing to the overpowering rush of members struggling to secure the limited number of places available below the Bar of the Lords, and many policemen lost their helmets in the struggle.[1]

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[1] Peeresses cannot claim the right to be present, but are allowed to attend in accordance with a privilege of long standing, which adds much to the beauty of the ceremony. Judges have always enjoyed the right of attendance. In old days they took a prominent part in the public business of the House, but were not regular members, and, though they gave their legal opinions upon constitutional questions before Parliament, could neither vote nor join in debate.

[2] If Parliament is opened by Commission, Black Rod is sent to *desire* (not to *command*) the attendance of the Commons, and the King's Speech is read by the Lord Chancellor.

[3] O'Connell's "Experiences," vol. i. p. 9.

[4] Hatsell says that such expressions were "very opprobrious," and might not unfitly have been applied "to the Peasants of France or the Boores of Germany." "Precedents," vol. i. p. 237.

Headed by their Speaker, then, the Commons surge into the Upper Chamber, and stand at the Bar, awaiting the reading of the King's Speech.

The anxiety of the Commons to gain good places from which to listen to the Speech is all the greater nowadays, since it has ceased to be customary to publish it beforehand. In Walpole's time the Government used to meet at the Cockpit in Whitehall on the eve of the opening to consider the royal speech.[2] This practice came to an end with the eighteenth century, but the Speech was still made public property by being sent to the papers on the evening of the Ministerial and Opposition dinners which precede the opening of Parliament. It is still read aloud by the official hosts at these banquets, but does not appear in the Press on the following morning, and the contents of the Speech are not made public until it is read by the King (or the Lords Commissioners) at the Opening of Parliament.[1] In 1756 a spurious speech was published and circulated, just before the opening, much to the annoyance of the authorities. King George, however, took a lenient view of this outrage. He even expressed a hope that the printers might not be too severely punished. He had read both speeches carefully, he said, and, as far as he could understand either, infinitely preferred the spurious one to his own.[2]

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[1] In 1860 such occurrences were prevented by the seats being balloted for by the Commons. "The faithful Commons being elected by ballot," as we read in "The Times" of January 25, "not now as formerly rushing in like the gods in the gallery on Boxing Night; on the contrary, they came steadily up to the Bar, the Speaker leading, and on his right Lord Palmerston." Today the system of balloting is again employed, and a much larger space both on the ground and in the galleries is allotted to the Commons.

[2] The Cockpit was pulled down in 1733, but the name continued to be given to the Treasury meeting-room. See Dodington's "Diary": "Went to the Cockpit to a prize cause," p. 72 (1828).

The King's Speech is not usually a very remarkable production, either from a literary or any other point of view, though many of those for which Gladstone, Disraeli, or Lord Salisbury were responsible were exceptionally lucid and well written. Macaulay has described it as "that most unmeaningly evasive of human compositions." As a rule, it exudes platitudes at every paragraph ; its phraseology is florid without being particularly informing. "Did I deliver the Speech well?" George III. inquired of the Lord Chancellor, after the opening of Parliament. "Very well, Sire," was Lord Eldon's reply. "I am glad of it," answered the King, "for there was nothing in it!"[3] If speech was given us to conceal thought, the King's Speech may often be said to fulfil its mission as a cloak to drape the mind of the Ministry. Lord Randolph Churchill once declared that the Cabinet had spent some fifteen hours eliminating from it anything that might possibly have any meaning. From the ambiguous suggestions it contains, the public is left to infer the exact form of legislation foreshadowed. The King's Speech is popularly supposed to be written by His Majesty himself. But though approved by him, it is composed by the Prime

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[1] "November 20, 1798. Called on Sir Francis Burdett, who had just been reading in the newspaper the King's intended Speech to-day (which for some sessions past has been published the morning before it is spoken)." Holcroft's "Memoirs," p. 229.

[2] It was burnt by the hangman in Palace Yard. Waldegrave's 'Memoirs," p. 89.

[3] Twiss's "Life of Eldon," vol. ii. p. 359.

Minister and the Cabinet, of which probably each member contributes the paragraphs referring to his own department. It expresses, therefore, the Government's rather than the sovereign's views.

Queen Victoria discontinued the reading of her Speech after the death of the Prince Consort, delegating this duty to the Lord Chancellor. Other monarchs, however, have usually been their own spokesmen on this occasion—sometimes at great personal inconvenience. William IV., in his old age, found much difficulty in reading his Speech, one gloomy winter's afternoon. The light in the Upper House was so poor that he could scarcely decipher a word, and he was forced to refer perpetually for assistance to Lord Melbourne. At last two wax tapers were brought, and the King, quietly remarking that the Speech had not received the treatment that it deserved, proceeded to read it right through again from beginning to end.

Another royal personage treated the Speech with far less respect. George IV., when Prince Regent, is said to have bet Sheridan a hundred guineas that he would introduce the words "Baa, baa, black Sheep!" into the King's Speech without arousing comment or surprise. He won his bet, and afterwards, when Sheridan asked Canning whether he did not think it extraordinary that no one should have noticed so strange an interpolation: "Did you not hear His Royal Highness say, 'Baa, baa, black sheep'?" he asked. "Yes," replied Canning; "but as he was looking straight in your direction at the moment, I deemed it merely a personal allusion, and thought no more about it!"

After the delivery of the King's Speech, His Majesty and the other members of the Royal Family retire from the Chamber, and the Commons return to their own House. Here the Speaker "reports" or reads the Speech once more. In the House of Lords the Chancellor is undertaking a similar duty, standing in his place at the Woolsack. Lords and Commons remain uncovered while the Speech is being read.

Before this happens, however, a Bill *pro formâ* is read a first time in both Houses, on the motion of the two Leaders, as a sign that Parliament has a right to deal with any matter in priority to those referred to in the King's Speech.

When this formality has been carried out and the Speech read, an Address of thanks to the King is moved by two members of each House. The motion for the Address is proposed and seconded by some rising young politicians selected by the Government, who are thus given an opportunity of displaying their oratorical prowess, and a debate ensues. The debate on the Address originated in Edward III.'s reign, and sometimes lasted two or three days. It was the regular preliminary of Parliamentary deliberations. To-day in the Commons it occasionally extends over a whole fortnight, or even longer.

After the Address has been agreed to, and ordered to be presented to His Majesty, both Houses proceed to make various arrangements for the conduct of their internal affairs, committees of different kinds are appointed, and other preparations made for facilitating the labours of the Legislature.

Parliament is now open, and the serious business of the Session begins.

CHAPTER IX

RULES OF DEBATE

"IT is true," says Bacon, "that what is settled by custom, though it be not good, at least is fit. It were good, therefore, that men in their innovations would follow the example of time itself, which, indeed, innovateth greatly, but quietly." Parliament has certainly acted upon this advice, and nowhere is the steady and silent legislation by precedent more conspicuous than in the forms which govern the procedure of both Houses. Occasional practices have become usages, growing with the growth of Parliament, adapting themselves imperceptibly to the circumstances which at once created and required them, "slowly broadening down from precedent to precedent," like that national freedom of which the poet sings.

Parliament has kept as close as possible to the wings of Time, and, as Plunket said, has watched its progress and accommodated its motions to their flight, varying the forms and aspects of its institutions to reflect their varying aspects and forms. For if this were not the spirit that animated Parliament, "history would be no better than an old almanack."[1] In spite of this, however, the maxim which Sir Edward Coke declared to be written on the walls of the House of Commons, that old ways are the safest and surest ways, still prevails, and it is not often that any parliamentarian has the courage to say, as Phillips said to Coke on a memorable occasion, "If there be no precedent for this, *it is time to make one*."[1]

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[1] O'Flanagan's "Lives of the Irish Chancellors," vol. ii. p. 541. (The same simile was used by Boswell. See Croker's "Dr. Johnson," vol. iii. p. 41.)

The machine of a free constitution, as Burke declared, is no simple thing, but as intricate and delicate as it is valuable; and to keep that machine in good working order, to make the wheels run smoothly, it has been found necessary to frame a code of procedure which has its roots in the traditions and precedents of the parliamentary history of the past. For hundreds of years any attempt to alter the ancient procedure was looked upon as a kind of sacrilege. It was not until the Speakership of Shaw Lefevre that any serious changes were made in the business methods of Parliament, and Rules and Standing Orders devised to expedite business and reduce waste of time to a minimum.

The maintenance of order and the acceleration of business have always been the main objects sought for, for which provision is now made in the Standing Orders of both Houses. These have been revised and their number increased from time to time, no fewer than twenty-one committees having been appointed between the years 1832 and 1881, for the sole purpose of improving the procedure of the House of Commons.[2]

The most important, perhaps, are those which refer to speaking in debates—the chief duty of those who take any part in the deliberations of Parliament.

Speeches in either House must be delivered in English and *extempore*, the speaker standing uncovered above the bar. Formerly, when the House of Commons was in Committee, members could speak sitting, and nowadays invalid members are usually allowed this privilege. Even these, however must obey the rule as to being bareheaded. The only occasion on which a member may—and indeed must—speak sitting and covered is during a division when a question of order arises upon which he wishes to address the House. Gladstone, who never wore his hat in the House, once provoked loud cries of "Order!" by forgetting this last rule. Realising his mistake, he hastily borrowed the headgear of a friend. Being, however, blessed with an unusually large head, his appearance in a hat several sizes too small for him caused much amusement.

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[1] Forster's "Sir John Eliot," vol. i. p. 405.

[2] Select Committees met in 1837, 1848, 1854, 1861 and 1871, and a Joint Committee of both Houses considered the question in 1869.

Peers and members occasionally wear their hats while sitting in their respective Houses, as a protection from the glaring light or from the extraordinary draughts caused by the modern system of ventilation; but they invariably uncover to move about from one place to another. They also momentarily remove their hats when the Chancellor or Speaker enters, or when a message from the Crown is read. It is customary, too, to uncover as a sign of respect when a vote of thanks is proposed or an obituary speech made in memory of a deceased statesman. There is an instance in Stuart days of a member expressing his disapproval of a vote of thanks by clasping his hands upon the crown of his hat and cramming it down over his eyes, but this has never been repeated.

The Quaker Pease was always disinclined to comply with the rule that members should walk about the House uncovered. A doorkeeper was therefore instructed to remove this member's hat quietly as he entered, and keep it safely hidden until he wished to leave. After a time, Pease became accustomed to doing this for himself, and the doorkeeper was relieved of his duty.[1]

Disraeli, like Gladstone, sat bareheaded in the House of Commons, but kept his hat under his seat ready for an emergency. It was then the general custom of members to wear their hats in the House, but fashions have changed, and Cabinet Ministers to-day generally leave their head-gear in the private rooms with which they are now accommodated, while humbler legislators make use of the hat-pegs provided for the purpose in the entrance hall of both Houses.

In the Commons, as we have already noted, the member who first catches the Speaker's eye has the prior claim to speak. In the Lords a different rule obtains. Should two peers rise simultaneously, one usually gives way to the other. Otherwise the House decides, if necessary by a division, which of the two is to address it.

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[1] Pryme's "Recollections," p. 220.

In the House of Lords peers address their fellows; in the Commons members are bidden to direct their remarks to the Speaker, or in Committee to the Chairman. This practice dates from the old days when the Speaker was the mouthpiece of the House and it was very necessary for members to make clear to him the exact nature of their grievances or petitions, so that he might transfer them correctly to the Crown.

In the Commons the rules prescribe that no reference to previous debates of the same Session shall be made, unless these were upon the subject now under discussion. It is likewise "out of order" to read from a newspaper or book any printed speech made within the same Session. No allusion is allowed to speeches made in the other Chamber, the idea being that debates are secret and unknown. This rule, however, is neatly evaded by the simple process of referring to "another place," a euphemism under which members of either House can disguise their allusions to the proceedings of the other.

Seditious or treasonable words are sternly forbidden in Parliament, as is also the use of the sovereign's name to influence debates. No member may commit contempt of court by referring to matters that are *sub judice*, nor may he insult the character or proceedings of either House, or use his right of speech for the purpose of obstructing public business in his own.

In May, 1610, "a member speaking, and his Speech seeming impertinent, and there being much Hissing and Spitting. It was conceived for a Rule, that *Mr. Speaker may stay Impertinent Speeches*."[1] Thirty years later an order of the House was framed, whereby, "If any touch another by nipping or irreverent speech, the Speaker may admonish him. If he range in evil words, then to interrupt him, saying: 'I pray you to spare those words.'"[1] Nowadays debate must be relevant to the matter before the House, and the Speaker may not only call upon an impertinent or irrelevant member to cease speaking, but may even use his discretion as to refusing to propose to the House a motion which he considers to be of a purely obstructive character.

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[1] Scobell's "Rules and Customs of Parliament," p. 19.

Disorderly conduct in Parliament was punishable by fine in 1640, when Strode, ever a stickler for parliamentary decorum, moved that "every one coming into the House who did not take his place, or did, after taking his place, talk so loud as to interrupt the business of the House from being heard, should pay a shilling fine, to be divided between the sergeant and the poor."[2]

Since Strode's day a number of further regulations have been added to the code of parliamentary procedure, but the Speaker's task of keeping order is facilitated by the desire on the part of every member to uphold the authority of the Chair. This expresses itself in the courtesy with which that piece of furniture, or rather, its occupant, is treated. Whenever a member of the House of Commons passes the Chair he accords it a slight bow, and this rule is never willingly infringed. He bows to it when he enters the chamber, and again when he leaves, and is always particularly careful not to intercept his person between it and the speaker who happens to be addressing the House. In the Upper House, the Woolsack is treated with similar deference, no lord knowingly passing between it and any other lord who is speaking, or between it and the table. There being no Speaker authorized to keep order in the Lords, when "heat is engendered in debate," it is open to any peer to move that an ancient Standing Order referring to asperity of speech be read by the Clerk.

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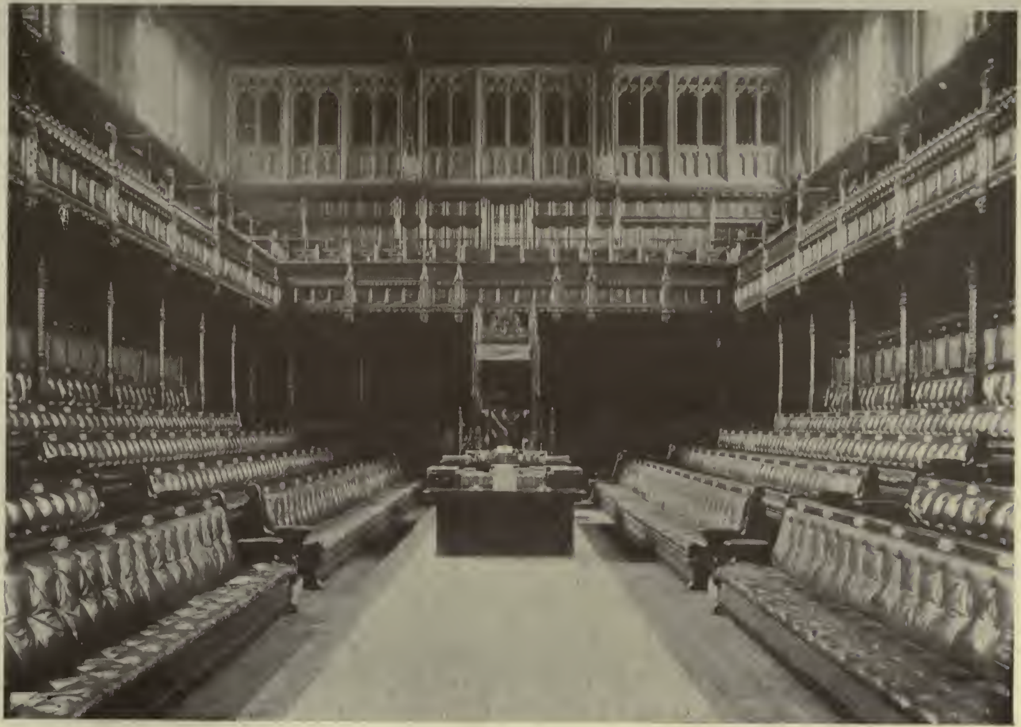
[1] "Orders, Proceedings, Punishments, and Privileges," etc. ("Harleian Miscellany," vol. v. p. 259.)

[2] Forster's "Grand Remonstrance," p. 206 n.



THE HOUSE OF COMMONS IN 1910

Whether or not language be "parliamentary" is always a matter difficult to determine. In the House of Commons it is left entirely to the discretion of the Chair. Lord Melbourne remembered a Speaker ruling it out of order to refer to any one as "a member of the Opposition."[1] Even the familiar "Hear! hear!"—the modern version of "Hear him!" which was the sign of approbation in the days of Pitt—has been ruled to be disorderly, if uttered in an offensive manner. Major O'Gorman was "named" by Speaker Brand for insisting that he had the right to shout "Hear! hear!" after every word, every semi-colon, and every comma of a member's speech. In 1887, Speaker Peel called the attention of the House to the fact that "Shame!" was an unparliamentary expression, and rebuked an Irish member for continuously shouting "Order! Order!" in a disorderly manner.

Any epithet which reflects upon the character of a member of either House, or upon the conduct of the King or of others in high places, is considered to be disorderly, though notice is not always taken of it. In 1672, on the first day that Lord Shaftesbury took his seat as Lord Chancellor, the Duke of York called him a rascal and a villain. "I am much obliged to your Royal Highness for not calling me likewise a coward and a Papist," was the Chancellor's urbane reply. When Feargus O'Connor, in 1848, denying the charge of Republicanism that had been brought against him, said that he didn't care whether the Queen or the devil sat on the Throne, what threatened to develop into a disagreeable incident was averted by the pleasantries of the Prime Minister. "When the honourable gentleman sees the sovereign of his choice on the throne of these realms," said Peel, "I hope he will enjoy, and I feel sure he will deserve, the confidence of the Crown!"

Matters were not always so easily smoothed over. In 1675, during the debate on the Address, Coke was committed to the Tower for remarking, "I hope we are all

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[1] Torrens' "Life of Melbourne," vol. ii. p. 375.

Englishmen, and are not to be frightened out of our duty by a few high words"—an observation which was considered to cast a reflection upon James II. In 1823 Canning stigmatized as "false" a statement of Brougham's, and for a long time refused to withdraw the offensive expression. The worthy Plimsoll was carried away by feelings of righteous indignation in 1875, and referred to certain shipowners, who were also members of the House, as "villains." It was not until a week later that he could be induced to apologise. O'Connell called Lord Alvanley a "bloated buffoon," and declared Disraeli to be the lineal descendant of the impenitent thief on the Cross.[1] Disraeli himself, in 1846, likened Lord John Russell to a vulture, and Mr. Biggar was termed an "impudent scoundrel" by a fellow-member in 1881. Nine years later Dr. Tanner referred to Mr. Matthews, the Home Secretary, as "one of the basest and meanest skunks that ever sat upon that bench"; and among the titles which have been freely conferred upon Mr. Chamberlain by his enemies, "Judas" and "d——d liar" are by no means the most opprobrious. Such language, however, is mercifully rare, and no modern Prime Minister could say, as Lord North did to the alderman who presented a petition from the electors of Billingsgate, that the honourable gentleman spoke not only the sentiments, but even the very language of his constituents.

A member may not speak at all unless a question is before the House, or he intends to conclude with a motion or amendment; but an exception is made in favour of a personal explanation, or of a question of privilege suddenly arising, which commands precedence over all other business. Questions also may be addressed to Ministers before public business commences, and the latter may make statements of public interest.

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[1] Grant's "Recollections of the House of Lords," p. 407. Lord Alvanley was the sporting peer who out hunting met a well-known West End artist in pastry who was having some trouble with his horse. "I can't hold him," said the confectioner, "he's so devilish hot!" "Why don't you ice him, Mr. Gunter?" said Lord Alvanley.—(Maddyn's "Chiefs of States," vol. ii. p. 214.)

Save when the House is in Committee, a member or peer is not allowed to speak twice upon the same question, unless on a point of order, or to explain some unintelligible portion of a first speech. If, however, he has moved a substantive motion, he has a right of reply at the end of the debate. Once when Lord North was speaking, a dog ran barking into the House. "Mr. Speaker," said the Prime Minister, "I am interrupted by a new member!" The dog was eventually driven out with some difficulty, but shortly afterwards re-entered by another door, when it began barking as loudly as ever. Lord North remarked dryly that the new member had spoken once already, and was consequently violating the rules of the House.[1]

In the House of Lords peers speak of one another by name, but in the Commons it is the custom to refer to colleagues by their constituencies, as "the Honourable (or Right Hon.) gentleman, the member for Hull (or West Birmingham, etc.)." The title "honourable" is always used in conjunction with a member's name, but should be reinforced by the epithet "gallant" or "learned" in the case of a naval (or military) member, or of a lawyer.[2]

It was not until after the Reform Act of 1832 that the practice of referring to members by their constituencies came into fashion. In Stuart days it was not customary to mention either the names or the constituencies of members. They were simply referred to as "the gentleman on the other side of the way," "the member that last spake," etc. Nowadays it is usual to talk of a member, if on the same side of the House, as "my honourable friend"; and if on the opposite side, as "the honourable gentleman (or member)." But opponents sometimes publicly include one another within the sacred circle of honourable friendship, though politically they may be the bitterest enemies.

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[1] Harford's "Recollections of Wilberforce," p. 93. An exception to this rule was made on November 4, 1909, when, in accordance with the general wish of the House, the Speaker permitted the Prime Minister and the Leader of the Opposition to speak, although both had already joined in the debate on the previous night.

[2] Sir Wilfred Lawson was once sarcastically referred to as "the honourable and amusing baronet" (See "Men and Manners," p. 152.)

There is no rule of procedure regulating the length of speeches in either House. A man may speak for as long as he likes, the only limit being set by his own powers of endurance or the patience of his audience; but his remarks must be relevant. "If any speak too long, and speak *within the matter*, he may not be cut off; but if he be long, and *out of the matter*, then may the Speaker gently admonish him of the shortness of the time, or the business of the House, and pray him to make as short he may."[1] As a matter of practice his fellow-members will probably have admonished him of the shortness of the time long before by shouting "'Vide! 'Vide!" until he brings his speech to a welcome close.

The determination to proceed in spite of this hint that his efforts are unappreciated only increases the uproar, for, as Burke once said, the House of Commons has an intense dislike for anything resembling obstinacy.[2] A Khedive of Egypt, who visited the House of Commons at the beginning of the nineteenth century, and listened with surprise to the deafening noise made by a political audience, came to the conclusion that the shouting of "'Vide!" was the ordinary English mode of expressing intense boredom. On his return to Egypt he suffered much from the protracted interviews which he was compelled to grant to Sir John Bowring, a prosy talker, who had been sent to Cairo in 1837 on a commercial mission. The Khedive's patience finally became exhausted, and one day, while Sir John was as usual addressing him at unconscionable length, His Highness began exclaiming "'Vide! 'Vide! 'Vide!" and continued doing so until his visitor was reduced to silence.

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[1] "Orders, Proceedings, Punishments, and Privileges of the Commons" ("Harleian Miscellany," vol. v. p. 8).

[2] "The House has a character of its own. Like all great public collections of men, it possesses a marked love of virtue and an abhorrence of vice. But among vices there is none which the House abhors in the same degree with *obstinacy*" ("Works and Correspondence," vol. iii. p. 215).

The words of Speaker Spencer Compton have often been quoted to show that members are acting within their rights in preventing the delivery of a speech; that, as Bright said, the House can employ noise "as a remedy" against a dull or prolix speaker. A member appealed to Compton to restore order, urging that he had a right to be heard. "No, sir," replied the Speaker, "you have a right to speak, but the House has a right to judge whether they will hear you!" This, according to so great an authority as Hatsell, was an altogether wrong decision, the Speaker's chief duty being to keep the House attentive and quiet.

In the House of Lords, where there is no Speaker to curtail a lengthy or irrelevant speech, any peer may propose that the noble lord who is on his legs "be no longer heard"—a disagreeable but effective way of informing a bore of his prolixity.[1] This method was unsuccessfully tried in the Commons in 1880. O'Donnell had put down a question asking whether M. Challemel Lacour, the prospective French Ambassador at the Court of St. James's, had, "as one of the Prefects of the Provisional Government of September 4, 1870, ordered the massacre of Colonel Latour's battalion, and had been fined £3000 by a Court of Justice for plundering a convent." Gladstone moved that the honourable member "be no longer heard;" but the Speaker, on being appealed to, stated that this was an unusual course, which had certainly not been adopted for at least two hundred years. A "scene" ensued, and finally O'Donnell was induced to put down the question again for a later date. Before this day arrived, however, the Speaker tactfully managed to suppress the question altogether, as being "beyond the cognisance of the House or the Queen's Government."

Occasional efforts have been made to stem the flow of parliamentary eloquence in the Commons, but without much success. The late Sir Carne Rasch tried for years to shorten speeches, but in vain. Mr. Hogan sought to introduce the New Zealand scheme, whereby the Speaker rings a bell when any member has spoken for twenty minutes; but though Mr. Balfour declared that twenty minutes erred on the side of generosity, nothing came of this suggestion. In spite of a good deal of unnecessary talking, the House of Commons gets through a lot of work, though there is no doubt that, as Bright said, more business could be done if so much time were not wasted in unprofitable eloquence.[1] Dr. Johnson, visiting a musical family of his acquaintance, suggested that they should all perform together. "There will then," he explained, "be more noise, but it will be sooner over." Similar suggestions have been made with regard to the House of Commons, but the question of stifling parliamentary loquacity remains unsolved.

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[1] The last instance of this occurred on May 6, 1884, when Lord Waveney was addressing the House.

When such loquacity was deliberately employed to delay business, obstruction took various forms, of which the favourite one a few years ago consisted of motions to adjourn the debate or adjourn the House. Sheridan once made this motion nineteen successive times, until members were so tired of tramping through the lobbies that they gave in and went home.[2] In 1831, on July 12th, the opponents of the Reform Bill saw that their only hope lay in retarding the business of the House. They set about to force a division on repeated motions for adjournment, and it was not until 7.30 a.m. of the following day that the Commons at length adjourned. Sir Charles Wetherell, who led the Opposition on this occasion, came out of the House to find that it was raining hard. "By God!" said he, "if I'd known this, they should have had a few more divisions!"[1]

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[1] "I must say that it (the House of Commons) would be a better machine if men were a little less vain, and would adopt a policy of silence. If they would be anxious to get through the business of the House without so much anxiety for self-exhibition as I have sometimes observed, I think the House of Commons might do a good deal more work, and very much better work than it does at present."—Speech at the Fishmongers' Hall, April 27, 1881.

[2] Grant's "Recollections," p. 53. Nowadays no member can make this motion more than once.

In 1833, and again ten years later, the Irish party resisted two Bills by this means, on the latter occasion calling for no less than forty-four divisions. And when the Copyright Bill of 1839 was being debated, a minority of nine members compelled one hundred and twenty-seven of their colleagues to divide sixteen times.

There is, as Gladstone said, no art or science which has made such advance in modern times as has that of parliamentary obstruction. Gladstone himself resolutely and systematically obstructed the passage of the Divorce Bill, as Sir Robert Peel before him had obstructed Lord Grey's Reform Bill. These statesmen, however, employed a recognised form of opposition to some particular measure. It was left for the Irish party to devise a system of regular opposition to the conduct of any parliamentary business whatsoever.

Parnell's knowledge of the rules of debate was extensive and peculiar. He himself acted upon the advice which he once gave to a new member when he told him that the best way to learn the regulations of the House was by breaking them. It was he who originated the idea of employing what he called "the sacred right of obstruction" as a protest against the alleged Government neglect of Irish grievances. He sought by this means to show that, though his party was not powerful enough to carry through its own work properly, it was sufficiently strong to prevent the English Government from doing any work at all. In this way he no doubt thought to carry out the last wishes of Grattan, and to "keep knocking at the Union."

The forms of the House of Commons, as Sir George Cornwall Lewis has said, were avowedly contrived for the protection of minorities; and they are so effectual for their purpose as frequently to defeat the will of the great body of the House, and enable a few members to resist, at least for a time, a measure desired by the majority.[1] The Irish have, of course, always been dissatisfied. If they had happened to be in the wilderness with Moses, as Bright once observed, they would probably have complained of the Ten Commandments as a harassing piece of legislation—and not altogether without justification. But in 1874, when they adopted the attitude of antagonism to the transaction of all business, obstruction in such a form as this was a novelty, and their more constitutionally-minded leader, Butt, repudiated Parnell and his methods. The latter was not to be moved from his purpose, however, and with half a dozen intrepid and obstinate followers continued the practice of an organized plan of obstruction, of which the only flattering thing that can be said is that it was for a long time completely successful.

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[1] Molesworth's "History of the Reform Bill," p. 214.

Parnell himself deliberately expressed his satisfaction in thwarting the Government and preventing the progress of parliamentary business. He gloried in his offence, thinking very probably that England's difficulty was Ireland's opportunity. On sixty-nine occasions in 1877, when the House of Commons was forced to divide, the minorities never consisted of more than eleven members, and in one hundred divisions they did not exceed twenty-one. Parnell addressed the House five hundred times in the session of 1879, constantly repeating the same arguments, raising points which had already been ruled out of order, making a variety of frivolous objections, and showing in a hundred ways that his evident desire was merely to waste the time of Parliament.

Owing to obstructive Irish tactics, the Land Act of 1881 required no less than fifty-eight sittings before it could be passed. In the same year the climax of obstruction was reached, and it became obvious that some measures must be taken to prevent the continuation of such a state of affairs. On January 31, which was a Monday, the House of Commons met at 4.30 p.m. and sat without interval until 9.30 a.m. on the following Wednesday. But for the intervention of the Chair, the sitting might have been prolonged indefinitely.

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[1] See "Influence of Authority in Matters of Opinion," p. 219.

Fortunately, Speaker Brand was a strong man, and had privately determined to put a stop to a condition of things which was bringing the House into contempt and threatening the complete breakdown of all legislative business.

On resuming the Chair on the Wednesday morning, the Speaker rose and addressed the House in a carefully prepared speech. He began by expressing his unqualified disapproval of the continual obstruction of a stubborn and inconsiderable minority, whereby the ordinary rules of procedure had been rendered ineffective, and the dignity of the House endangered. Acting on his own responsibility, he declared that a new course was imperatively demanded. He declined therefore to call upon any more members to speak, and proceeded to "put the question," relying upon the House to support him in this unusual act.

The Speaker had accurately gauged the "sense of the House";[1] his solution of the difficulty was loudly applauded, save of course upon the Irish benches, and, after a sitting that had lasted for over forty-one consecutive hours, weary members were at last enabled to enjoy a well-earned repose.

Shortly after this memorable scene, a new set of rules was framed, restricting debate on all dilatory motions, and preventing any member from making them more than once. The authority of the Speaker also was increased, and it was made optional for him to put the question forthwith, if he thought the rules were being abused. He was also endowed with the power of at any time silencing an unruly or obstructive member.

In 1882, Gladstone proposed an alteration of the Procedure Regulations, which allowed the Speaker or Chairman, when a subject had been adequately discussed, and it was evidently the sense of the House that the question be put, so to inform the House; and, if a motion to this effect was put and carried, supported by more than two hundred members, or supported by one hundred and opposed by less than forty, the question was to be put forthwith. This "Closure" rule was amended six years later, when it was resolved that, after a question had been proposed, any member could move that "the question be now put," and, with the Speaker's approval, this motion might be put without debate, provided that in the division not less than one hundred members voted in its support.

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[1] With regard to those well-worn expressions, the "sense" of the House and the "feeling" of the House, it has been stated that the House of Commons has more sense and feeling than any one who sits upon its benches: "The collective wisdom of Parliament exceeds the wisdom of any single head therein."

Still more stringent regulations have since been made to thwart the obstructive tendencies of a certain section of every Opposition. By a recent Standing Order, the end of a debate may be fixed by resolution of the House for a certain hour and date, and, if the subject is not disposed of by that time, the undiscussed remainder must be decided by a vote upon which there can be no debate. This is known as the "guillotine" or "closure by compartments," and has been commented on adversely by all minorities and sedulously practised by every Government since its inception.

In spite, however, of the many efforts which have been made to accelerate business, the parliamentary machine moves but slowly, and the time spent in discussing any measure to which there is active, sincere, and persistent opposition shows no signs of diminishing in length. Thus, while the Home Rule Bill of 1893 required 180 divisions, the Education Bill of 1902 required 295; and over the Finance Bill of 1909 Parliament spent something like 73 days (or 740 hours) and divided no less than 420 times.

CHAPTER X

PARLIAMENTARY PRIVILEGE AND PUNISHMENT

PARLIAMENT has ever been most tenacious of its historic and traditionary rights and privileges. Of these, freedom of speech and freedom from arrest may be considered the most important. The right of personal access to the Crown is claimed by peers, any one of whom may demand a private audience with the sovereign, and, though the Commons are not granted a similar privilege, it is permissible for them to accompany their Speaker when he presents an address to the King, and to wear ordinary dress on such an occasion.

In olden days peers enjoyed other indulgences denied to their humbler brethren. They were, for instance, permitted to kill deer in the King's forests whenever, in obedience to a royal summons, they journeyed to or from the sovereign. At such times the bag was limited to two deer, and these might only be slain in the presence of the King's Forester. If that official were not at hand, the sporting peer was enjoined to blow several loud blasts upon his hunting-horn before pursuing his quarry to the death.[1] Peers were further allowed "benefit of clergy," in the good old days, for such crimes as highway robbery, horse-stealing and house-breaking, but only for a first offence. If they took up burglary as a hobby, or if the robbery of churches became with them a daily habit, they could no longer escape from the consequences of their misdeeds, and were haled to prison just as though they had been mere ordinary mortals. "Benefit of clergy" was a privilege which was repealed by Act of Parliament in 1801, and a peer to-day cannot steal a single gold watch with impunity.

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[1] Pike's "Constitutional History," p. 267.

Exemption from arrest on a civil process during the session, or for forty days before and after, is a privilege which members of the House of Commons as well as the Lords have always enjoyed.[1] It extended to their estates until 1857, and to their servants until 1892. This immunity does not, however, extend to breaches of the criminal law, nor can it be claimed in the case of an indictable offence or of contempt of court, its original object being merely to secure freedom of arrival and attendance. The Speaker of the Commons, Thomas Thorpe, who was summoned in Henry VI.'s time for carrying away certain goods and chattels from the Bishop of Durham's Palace, was fined £1000, and committed to the Fleet until this sum should be paid. The question of privilege was raised, but the House of Lords decided that the culprit must remain in prison, and the Commons were directed to elect another Speaker.

In the early days of Parliament, privilege from arrest was generally enforced by a resolution of the House or by a Chancery writ, though there is at least one instance of a member being released without any such formality. This occurred in the case of a member named Ferrers, who had been arrested for debt by the Sheriff of London in 1543. The Sergeant-at-Arms who went to demand his release was illtreated, and sent back empty-handed. The House thereupon summoned the sheriff to the Bar, and with him the creditor who had sued Ferrars, and committed both to prison.

In 1575 the privilege was extended, the servants of members of the House of Commons being included within the pale of its protection. This naturally led to many abuses, culminating in the case of the notorious Colonel Wanklyn. This member gave a signed "protection" to a wealthy friend whom he falsely named as his servant in order to enable him to escape the payment of a debt which he owed to his own wife. The fraud being made public, the culprit was expelled from the House, and went away weeping bitterly, "to the scandal of his brother officers."[1] In the same year a man named Smalley, the servant of Arthur Hall, member for Grantham, was arrested for debt and released by the Speaker's order. It was afterwards discovered that he had arranged his arrest so as to elude his financial liabilities, and the indignant House ordered him to be imprisoned and fined £100.[2] Further discredit was cast upon one of the ancient privileges of Parliament by another member named Benson, who was found guilty of selling "protections" at sixteen shillings apiece, and was turned out of the House.

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[1] Peeresses may also claim this as a right.

If the Commons were justly severe in their treatment of members who abused this particular privilege, they punished with even greater severity any unfortunate persons who attempted to violate it. In 1584 an official of the mighty Star Chamber was committed to the Tower for daring to serve a *subpœna* on a member of Parliament. At the beginning of the next century, two officers who had arrested a member's servant were condemned to ride together upon a single horse, back to back, through the streets of London. In this insecure and undignified position they were taken from Westminster to the Exchange, wearing upon their breasts a placard inscribed with their offence, an awful example to all who would dream of laying hands on the sacred persons of parliamentarians or their dependents.

The immunity which members had hitherto enjoyed was slightly modified in 1700, when an Act was passed permitting civil suits to be commenced against them after a dissolution or prorogation, or during any adjournment of more than fourteen days. Later on, in George III.'s reign, their privileges were still further curtailed, their persons alone being held sacred, and that for a period of only forty days before or after the meeting of Parliament. Use was still made of this privilege as a shield from the power of the law, and as late as 1807 there are instances of the unscrupulous purchase of seats in the Commons for the sole purpose of obtaining release from prison or escaping the payment of debt.

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[1] Townsend's "History," vol. i. p. 253.

[2] Raikes's "Journal," vol. i. p. 320.

To this day members of Parliament are safe from arrest within the precincts of the Palace of Westminster. Irish members who had been convicted under the Coercion Act, in the palmy days of the Land League, found in the House of Commons a useful if only temporary sanctuary. Dr. Tanner took his seat there at a time when a warrant for his arrest had been issued, and it was not until the adjournment of the House and the return to his hotel of this member, so badly "wanted by the police," that he could be lawfully apprehended.

The jealous care with which Parliament guarded its rights in olden days often threatened to bring the very name of privilege into contempt. The Commons especially acquired the pernicious habit of voting that whatsoever displeased them was an insult to Parliament, requiring instant and drastic punishment. Books or sermons which criticized or reflected upon the doings of either House were condemned wholesale, confiscated, and publicly burnt by the common hangman; authors or preachers were imprisoned and otherwise penalized. "The Parliament-men are as great Princes as any in the World," says Selden, "when whatsoever they please is privilege of Parliament; no man must know the number of their privileges, and whatsoever they dislike is breach of privilege."[1]

Impeachment, imprisonment, fines, confiscation of property, or committal to the Tower, were among the penalties meted out with a lavish hand to all who gave offence to the Commons. In 1624, Dr. Harrys, vicar of Blechingly, was brought to the bar of the Commons for interfering at elections, and compelled to confess his guilt, and afterwards to apologise to his parishioners. A Welsh judge named

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[1] "Table Talk," p. 109.

Jenkins was summoned before the Long Parliament for having called the House of Commons a den of thieves, and, on refusing to "bow himself in this house of Rimmon," was sentenced to death.

The most trivial faults, the most innocent acts, were from time to time voted contempts of Parliament, and the offenders chastised with a barbarity which was out of all proportion to the nature of their misdeeds. So harmless an offence as crowding or jostling against a member of Parliament was at one time considered a crime. In the days when the great Arthur Onslow occupied the Chair of the House of Commons, it was his custom to traverse Westminster Hall on his way to the House, saluting the Judges as he passed. An unfortunate man who accidentally blocked the Speaker's path on one occasion was instantly ordered into custody.[1]

Poaching the game of a member of Parliament was also adjudged a misdemeanour worthy of severe retribution. A poacher who trespassed on the fishing rights of Admiral Griffiths, M.P., in 1759, was reprimanded on his knees at the bar of the Commons.[2]

The presentation of fraudulent petitions has always been regarded as a breach of parliamentary privilege; and, in 1887, a man named Bidmead, who presented a petition which was found to be full of false signatures, was brought to the bar and severely reprimanded. This process of haling an offender to the bar to receive the censure of the House was an impressive one, calculated to strike fear into the boldest heart. The culprit was brought in, in the custody of the Sergeant-at-Arms, and compelled to kneel at the bar, where the Speaker sentenced him in his severest tones to such penalties as the House deemed sufficient to expiate his crime. One wretched prisoner was so alarmed that he had a fit, and was carried out in an unconscious condition.

The rule requiring an offender to kneel was not finally repealed until the middle of the eighteenth century. In 1751 an attorney named Crowle was reprimanded on his knees for misconduct of some kind or other at an election. On rising to his feet Mr. Crowle carefully wiped the knees of his trousers, remarking contemptuously that he had never before been in so dirty a house.[1] In this same year Alexander Murray, brother of the Jacobite Lord Elibank, was summoned for obstructing the High Bailiff of Westminster at election time. He resolutely declined to kneel when brought to the Commons bar, nor could the threats or entreaties of the Sergeant-at-Arms prevail upon him to conform to the rules of the House in this respect. "I never kneel but to God," he said. "When I have committed a crime I kneel to God for pardon, but, knowing my own innocence, I can kneel to no one else." As a punishment for his obstinacy, Murray was committed to Newgate, and remained there until the prorogation of Parliament. The close of the session operated as his release, and he was acclaimed in triumph by the City populace. When Parliament met again he was once more committed, but fled abroad, and so escaped further imprisonment.

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[1] Hatsell's "Precedents," vol. ii. p. 241 n.

[2] Lord Russell's "Essays and Sketches," p. 346.

This ceremony of enforced kneeling was a humiliation repulsive to many. Windham told Fanny Burney that the sight of Warren Hastings on his knees at the bar was so repugnant to his feelings that he looked the other way to avoid seeing the degradation of the impeached statesman. "It hurt me," he says, "and I wished it dispensed with."[2] This wish soon became universal, and the practice was discontinued in 1772, Baldwin, the printer of the "St. James's Chronicle," who was reprimanded for publishing a report of the parliamentary proceedings, being the last man to kneel at the bar of the House.

When a member of Parliament incurs the displeasure of the House its censure may be visited upon him in various ways, either by a reprimand, or by fine, or by committal to prison. The first instance of the Commons punishing one of their own number occurs in 1547, when a member named Storie was arrested by the Sergeant-at-Arms for speaking disrespectfully of the Duke of Somerset, and was confined to the Tower. The House of Commons has never allowed its members to reflect upon the conduct of those in high places. It also forbids any criticism of a Resolution of the House, unless the critical member intends to conclude with a motion for rescinding it. Eight years after the committal of Storie, another member, Dr. Parry by name, was brought to the bar for speaking in the House against a Bill that had already passed its third reading, saying that it was "full of confiscations, blood, danger, despair, and terror to the English subjects of this realm, their brothers, uncles, and kinsfolk."[1] Dr. Parry absolutely declined to give his reasons for holding this view, nor would he deign to explain why the Bill should cause his uncles to become desperate and terrorstricken. He was therefore committed to the Tower, and expelled from the House. Later on an accusation of treason was brought against him, and a motion made (but, let us hope, not carried) that he be executed. In 1581, another member, Arthur Hall, was fined and imprisoned in the Tower for publishing a book of a slanderous character.

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[1] Oldfield's "History o the House of Commons," vol. i. p. 420.

[2] "Diary and Letters of Mme. D'Arblay," vol. iv.

When the House of Commons punished in those days it certainly never erred on the side of leniency. A Roman Catholic member named Floyd, who had made use of insulting expressions with reference to the daughter of James I., was found guilty of gross breach of privilege. He was sentenced to be degraded, branded, whipped, fined £1000, and to stand twice in the pillory. After this, whatever was left of him was to be imprisoned for life. The pillory was evidently a favourite punishment for recalcitrant members, and as late as 1727 we find a legislator named Ward suffering this unpleasant penalty in addition to expulsion from the House.[2]

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[1] D'Ewes' "Journal," p. 341.

[2] Ward was expelled for forgery. He is referred to in Pope's "Dunciad"—

> "As thick as eggs at Ward in pillory."—
> Book iii. line 34.

In James I.'s reign a certain Sir Giles Mompesson, member of Parliament, was accused of "being a Monopolist." For this crime he was turned out of the House, perpetually outlawed, excepted from all general pardons, bereft of his goods, imprisoned for life, and, last of all, sentenced to be "for ever held an infamous person."[1] Another member was sent to the Tower for "speaking out of season," an offence which is fortunately no longer considered particularly heinous, or perhaps few members would be at liberty to-day.

In 1642 Parliament appears to have been especially pitiless, dispensing fines and imprisonments right and left upon any one who displeased it. Sir Edward Dering was impeached for promoting a petition from the county of Kent, and the petition itself was ordered to be burnt at the hands of the common hangman. Sir Ralph Hopton was imprisoned in the Tower for saying in the House that his fellow-members seemed to ground their views of the King's apostacy upon evidence insufficient to convict a horse-thief; and a wretched tradesman named Sandeford, who cursed Parliament and all its works, was fined a hundred marks, pilloried, whipped, and sentenced to life-long confinement in a House of Correction. So assertive of their power and so jealous of their privileges were the Commons at this time that they even made an order to issue a warrant for the apprehension of all such persons as one of their members, Sir Walter Erle, should name.[2]

Peers and prelates were no safer than the humbler members from the vindictive spirit of Parliament, and any breach of its privileges on their part brought instant punishment. In 1603 the Bishop of Bristol published a book which was considered by Parliament to be most offensive. At a conference of both Houses he was sternly rebuked "for presuming to see more than a Parliament could," when he at once recanted, withdrew his obnoxious presumptions, and declared, "first, that he had erred; secondly, that he was sorry for it; and, thirdly, that if it were to do again, he would not do it."[1] Only on these abject terms could he expiate his offence. A hundred years later, in 1712, a volume of sermons written by the Bishop of St. Asaph, deploring the terms of the peace with France and Spain, was condemned to be burnt in Palace Yard.

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[1] "Lex Parliamentaria," pp. 94, 101.

[2] Sir Walter had lodged information of scandalous words spoken by certain individuals. See Lister's "Life of Clarendon," vol. iii. p. 125.

The Sergeant-at-Arms is the official entrusted with the duty of enforcing the penal decisions of the House of Commons. All warrants issued by the House are executed by him. He brings witnesses and culprits to the bar, sees that members and strangers do not infringe its resolutions, and has the custody of such persons as may be committed to his charge. The doorkeepers, messengers, and police employed in the Commons are under his control, as are the buildings themselves while Parliament is sitting. As an officer of the Crown, he may be summoned to attend upon the sovereign on such occasions as the opening of Parliament, when the Deputy Sergeant-at-Arms takes his place as the personal escort of the Speaker. Like his colleagues, the Sergeant used formerly to eke out a precarious living upon fees, and received all or a part of the fines inflicted upon members for absence or unpunctuality. To-day, however, he enjoys a regular salary, and an official residence.[2]

Only once since the attempt of Colonel Pride to purge the House have representatives of the law traversed the bar of the Commons. The Palace of Westminster, within and without, is guarded by members of the Metropolitan Police, but they studiously refrain from trespassing upon the sacred ground that lies within the bar of either House. During the Speakership of Mr. Gully, however, in 1901, several Irish

[1] Petyt's "Miscellanea Parliamentaria," p. 64.

[2] In bygone days his duties evidently entailed much pedestrian exercise, as may be gathered from an Order of the House issued in Queen Elizabeth's time. "Upon Motion of the House" (say the records), "in regard to the Infirmity and Pains in the Sergeant's Feet, he is licensed by the House to ride a Footcloth Nag." "Observations, Rules, and Orders Collected out of Divers Journals of the House of Commons" (1717), p. 138.

members declined to leave the House when ordered to do so for a division, and resisted the Sergeant-at-Arms and his myrmidons. Stout police-constables were therefore summoned, and bore the unwilling members struggling to the door in that kindly but determined grasp which, as Suffragettes have since learnt by experience, is one of the chief charms of the A Division.

The right of the Houses of Parliament to regulate their own internal concerns has always been admitted. In Henry VI.'s reign the Lord Chief Justice informed the House of Lords that the High Court of Parliament "is so high and mighty in its nature that it may make law, and that that is law it may make no law, and the determination and knowledge of that privilege belongs to the Lords of the Parliament, and not to the Justices."[1] Courts of law have never interfered with anything that took place in Parliament unless it were of an essentially criminal character. Parliament, however, has not always shown the same consideration for courts of law. In 1703, a man named Ashby brought an action against the constables of Aylesbury for refusing to record his vote at an election. The Commons thereupon declared it a gross breach of privilege that any court other than themselves should presume to try a case that had any reference to an election, and proceeded to take into custody everybody concerned in the affair. The Speaker went in person to the Court of Queen's Bench to summon the Lord Chief Justice to attend upon the Commons and explain the law's unjustifiable interposition. For once, however, the representative of Parliament was forced to beat an undignified retreat. Old Lord Chief Justice Holt was a quick-tempered man, and not at all awed by the presence of Speaker Smith. "If you do not depart from this court," he said to him in his sternest voice, "I will commit you, though you have the whole House of Commons in your belly!"

This was but one example of the numerous collisions between Parliament and the law, resulting from the former's rigid insistence upon bygone privileges, and the difficulty of settling which questions should be left to the arbitrament of either authority. If matters were left to the decision of the Commons, it is clear that everything would probably be brought within the scope of privilege ; if to courts of law, all privilege would possibly be abolished. Some thought the former alternative was the least to be feared. "While men are but men," said Lord Jeffrey, "we must be at the mercy of a fallible and irresponsible despotism at best ; and if we have to choose, as in an open question, few would hesitate to say that they would rather have the House of Commons for a despot than the courts of law."[1] But the matter became ridiculous when Parliament insisted on interfering in questions which it had clearly no right to decide. In 1721, for instance, the House of Commons committed the proprietors of a paper called "Mist's Journal" to Newgate for publishing an article favouring the restoration of the Pretender. This could scarcely be considered a breach of privilege, but the House thought itself empowered to deal with all political offenders. Since that time no one has been committed, except for a distinct breach of privilege, or for contempt of Parliament. The latter term, however, embraces the most trivial offences In 1827, a stranger who was visiting the House of Lords left his umbrella in the cloak-room, by order of the attendant. On returning to claim his property at the end of the sitting, he found that his umbrella—following the universal fashion of that elusive article—had disappeared. He proceeded to bring an action against the doorkeeper, and was awarded damages amounting to £1 0*s.* 4*d.* Lord Chancellor Eldon thereupon summoned him to the bar of the Lords, and forced him, on pain of imprisonment, to refund the value of his umbrella and apologise. Four years later, the printer of "The Times" was fined £100 and sent to Newgate for having dared to call the Earl of Limerick "a thing with human pretensions."

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[1] "Rot. Parl;" vol. v. 239–240.

The House of Lords has always considered itself empowered to inflict fines as well as imprisonment for a fixed period. When the Commons confine an offender they may put no term to his sentence, and he is released automatically on a prorogation. For the last two hundred years they have ceased to exercise the right of fining delinquents, but in early days, as we have seen, they often inflicted financial penalties, and stimulated the attendance of their own members by an inroad upon their pockets.

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[1] Cockburn's "Life of Jeffrey," vol. ii. p. 354.

At the very commencement of parliamentary history the shires or boroughs whose representatives did not appear in their places in Parliament were fined £100. In 1580, any knight who stayed away for a whole session was fined £20, while citizens and burgesses were fined £10. Besides this, members lost their pay during absence, and, by an Act of Henry VIII., boroughs and shires were exonerated from the payment of wages to members who left Parliament before the end of the session without the Speaker's permission.

In similar fashion peers and bishops were punished for non-attendance, the size of their fines varying in proportion to the rank of the offender. An ordinance framed in Henry VI.'s time, about 1452, imposed fines of from £40 to £100 upon absentee peers, the sum thus raised to be appropriated to the defence of Calais.[1] In 1625 a fine of 5*s.* per day was imposed upon peers who disregarded their summons to Parliament, and we read of the Cinque Ports being mulcted in the sum of a hundred marks because their baron absented himself.[2] When the Bill for degrading Queen Caroline was before the Lords a fine of £100 was imposed during the first three days, and £50 for any subsequent day, on which any peer did not attend, unless he could prove illness or unavoidable absence. By a former Standing Order, every lord who entered the House after prayers was fined, if a baron or a bishop, 1*s.*; if of higher rank, 2*s.* What a contrast to these degenerate days in which the Lord Chancellor, the bishop, and one peer, hunted up for the purpose, form a reluctant congregation!

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[1] Nicholas's "Proceedings of the Privy Council," vol. vi. p. lxv.

[2] "Modus Tenendi Parliamentum," p. 28.

In the days of Charles I. penalties were extremely necessary if the business of Parliament was to be carried on at all. Members took their duties lightly, and at times not more than a dozen would appear in their places at Westminster. Prynne describes them as wasting their time in taverns, playhouses, dicing-houses, cockpits, and bowling alleys, "rambling abroad to such places at unreasonable Hours of the Night in antique Parliamentary Robes, Vestments fitter for a Mask or Stage than the gravity of a Parliament House." They would only come to peep into the House once or twice a week, he says, to show themselves in such disguises, and ask, "What news?"[1]

In the Parliament which passed the Grand Remonstrance there were sometimes as many as two hundred absentees. To remedy this evil it was proposed by Strode that any member who stayed away without leave should be fined £50, or expelled. This proposal, says D'Ewes, "was much debated, but laid aside."[2] Even those members who attended did so in a casual and perfunctory fashion, which proved a source of great inconvenience to colleagues who took their responsibilities more seriously. In order, therefore, to enforce punctuality, minor fines were inflicted, and in 1628 an order was made that any member who came in late for prayers must contribute 1*s.* to the poor box. The House met at seven or eight o'clock in the morning in those days; members therefore had some excuse for arriving late, and the system had to be temporarily abandoned in 1641, owing to the interruption of business resulting from the cries of "Pay! Pay!" with which unpunctual persons were greeted. "Scenes" would often take place when members arrived just as the clock was striking, and either refused to pay their shillings, or flung them angrily upon the floor for the Sergeant to pick up. Later on, when the House rose at midday, instead of in the afternoon, the regulation was revived. Speaker Lenthall himself was late on one occasion, much to the delight of the House, and, his attention being drawn to the fact, threw his shilling down on to the table with every sign of annoyance.

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[1] "Brief Register of Parliamentary Writs," p. 672.

[2] Forster's "Grand Remonstrance," p. 316 n.

As late as the middle of the eighteenth century members did not allow their parliamentary duties to interfere with their social pleasures. Burke once complained because the Commons rose early in order to attend a *fête-champêtre* given by Lady Stanley.[1] And in 1751 Horace Walpole told a friend that on the day appointed for the debate on the Naturalization Bill the House "adjourned to attend Drury Lane."[2]

From time to time attempts were made to secure the attendance of members by means of a "call of the House," of which due notice was given, members who failed to answer their names being punished. A "call" which was taken in October, 1647, resulted in the discovery that one hundred and fifty members were absent, and after a prolonged debate it was decided that they should be ordered to pay a fine of £20 each. This system has fallen into disuse, the last "call" taking place in 1836.[3] Five years before this date, however, on March 17, 1831, three members, including Lord F. L. Gower, who were not in their places when their names were called, were given into the custody of the Sergeant-at-Arms, and compelled to pay fines ranging from £8 to £10.[4]

A member who offends against any of the rules or orders of the House of Commons may be dealt with in several ways, either by being silenced, suspended, expelled, or committed to prison. If any member indulges in irrelevance or tedious repetition the Speaker can call upon him to discontinue his speech. Should the offence against order be more serious

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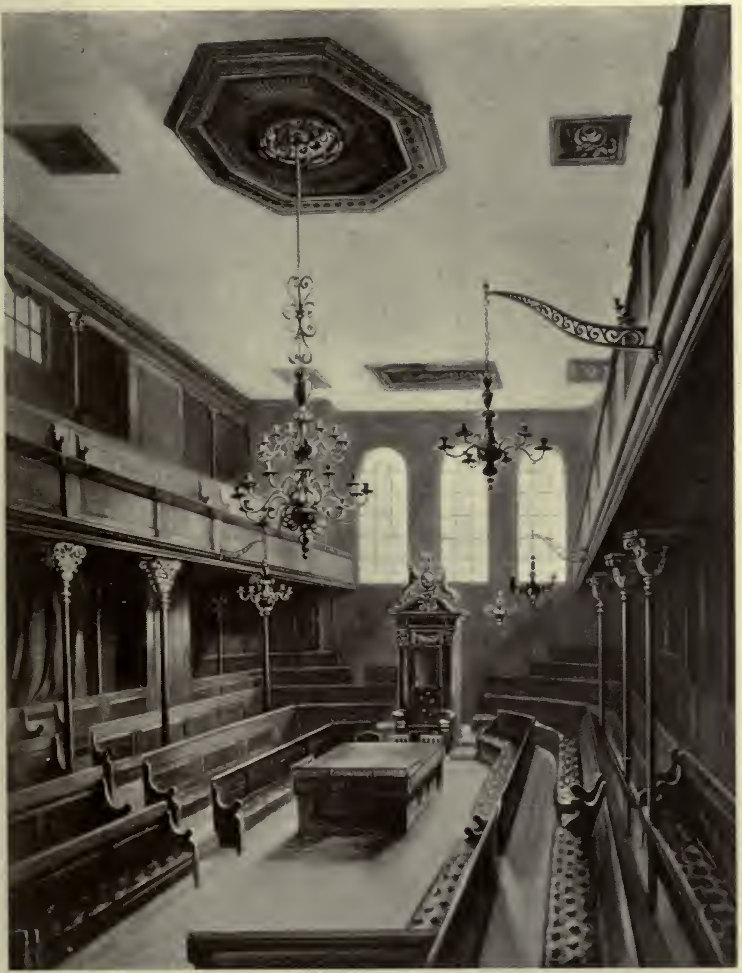
[1] Townsend's "History," vol. iii. p. 377.

[2] "Letters," March 7, 1731.

[3] The last "call" of the Lords took place in 1901 on the trial of Earl Russell.

[4] Grant's "Recollections," p. 52.



THE HOUSE OF COMMONS IN 1835

FROM AN ENGRAVING BY SAMUEL COUSINS FROM THE PAINTING BY H. W. BURGESS

the Speaker may either order the offender to withdraw from the House or may "name" him, whereupon, on the motion of the Leader of the House, he is suspended from its service. The practice of "naming" originated in 1841, when Speaker Lenthall, after trying in vain to silence certain noisy members who were chatting together under the gallery, called upon Sir W. Carnabie by name. In former days little unpleasantness seems to have attached to the process of "naming," and when Speaker Onslow was asked what the result would be of "naming" a refractory member he could but answer, "Heaven only knows!"[1]

To-day a Speaker may order any member whose conduct is unruly to withdraw from the House for the remainder of the sitting. By a Standing Order any member wilfully abusing the regulations of the House can be "named" by the Chairman or Speaker, and suspended until the end of the session, unless the House decides to re-admit him sooner. When a member is "named," the Sergeant-at-Arms escorts him from the precincts of the chamber, and he is seen off the premises by the police. Should he decline to obey the Sergeant's invitation to accompany him beyond the bar, a couple of elderly attendants step forward and prepare to expedite his progress towards the door. If force has to be used in order to make a member withdraw, his suspension lasts unquestionably until the end of the session.

The punishment of suspension had not been used for two hundred years when it was revived in 1877. Immediately following the extraordinary scenes of obstruction which gave rise to Speaker Brand's resolute action, a wholesale suspension of Irish members took place. On February 3, 1881, Parnell and more than a score of his colleagues were named and suspended for refusing either to take part in a division or to withdraw from the House. When the "closure" was applied for the first time in February, 1885, a scene of uproar ensued, as a result of which Mr. O'Brien was suspended, and in March, 1901, as already mentioned, twelve Irish members who declined to leave their places for a division were forcibly removed by the Sergeant-at-Arms and police, and subsequently suspended.

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[1] Fox asked Sir Fletcher Norton the same question. "What will happen?" replied the Speaker: "hang me if I either know or care!" "Life of Sidmouth," vol. i. p. 69 n.

Committal to the custody of the Sergeant-at-Arms is nowadays an uncommon parliamentary punishment, Bradlaugh being one of the last members to be confined in the Clock Tower.[1] Both Houses, however, have the legal right of imprisoning (at Holloway or elsewhere) any British subjects who offend against their privileges.

Expulsion from the House of Commons is, perhaps, the direst penalty that can be inflicted upon a member. In 1714, Lord Cochrane and Steele the essayist were both expelled—the one for spreading false reports on the Stock Exchange, the other for publishing "The Crisis," a pamphlet antagonistic in tone to the Government. Some fifty years later Wilkes, who had been prosecuted for his articles in the "North Briton," was also expelled from the House. The voters of Middlesex at once re-elected him, but Parliament declared his opponent, the defeated candidate, to be duly elected. In 1782, however, the resolution against Wilkes was erased from the journals of the House. At the time of the South Sea Bubble a number of members were turned out for fraud. Since then, however, the list of expulsions has dwindled, until to-day such a thing would be considered a rare and unique occurrence. Though expulsion does not preclude re-election, a grave moral stigma attaches to the penalty, and a modern member who incurred it would find but little consolation in the reflection that he shared this invidious distinction with men of no less eminence than Steele and Walpole.

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[1] In 1834 Lord Althorp and Sheil were locked up by the Sergeant-at-Arms, by order of the Speaker, until they had apologised to the House and one another for the use of unparliamentary language. Cf. O'Connell's "Recollections and Experiences," vol. i. p. 169.

CHAPTER XI

PARLIAMENTARY DRESS AND DEPORTMENT

PARLIAMENT to-day differs in very many respects from the Parliaments of the past; nowhere does that difference express itself more forcibly than in the remarkable improvement in parliamentary manners of which the last century has been the witness.

Sir John Eliot's well-known words are far more applicable to the modern House of Commons than they can ever have been three hundred years ago. "Noe wher more gravitie can be found than is represented in that senate," he said, speaking of the Chamber of which he was so distinguished a member. "Noe court has more civilitie in itself, nor a face of more dignitie towards strangers. Noe wher more equall justice can be found: nor yet, perhaps, more wisdom."[1] It was no doubt a pardonable sense of pride that caused Sir John to take so optimistic a view of the assembly of his day, for there is ample evidence to show that the House of Commons of the sixteenth and seventeenth centuries was not always the grave or civil chamber which he describes. Its passions were not invariably under control; they flared up into a blaze on more than one occasion. The appearance of Cardinal Wolsey to demand a subsidy for his royal master was the signal for an outburst of feeling which almost ended in bloodshed; the Long Parliament was in a perpetual state of storm and disorder.

During the Stuart period, and even more so towards the close of the Commonwealth, the conduct of the Commons was anything but decorous. The Speaker of those days frequently found it impossible to maintain order; the Chair was held in little respect. The behaviour of the House was but little better than that of the Irish Parliament in the time of Elizabeth, which spent most of its time in futile argument and disagreement: "The more words, the more choler; and the more speeches, the greater broils."[1] It was at the commencement of the seventeenth century that the first violent manifestations of party feeling took place which were afterwards destined to cause so many "scenes" in the Commons. Owing to the constant discord prevalent there, that House was, by one member, likened to a cockpit; another wrote to Sir Dudley Carleton that "many sat there who were more fit to be among roaring boys"; and a third declared his desire to escape, not only to the Upper House, but to the upper world altogether.

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[1] Forster's "Sir John Eliot," vol. i. p. 238.

During the lengthy debates on the publication of the Grand Remonstrance in 1641, feeling ran so high that members would have sheathed their swords in one another's vitals but for the timely intervention of Hampden. Even those who did not actively assault each other seem to have expressed so much malice in their looks as to cause serious alarm to their opponents. In 1642, for instance, Sir H. Mildmay complained to the House that the member for Coventry "looked very fiercely upon him when he spoke, and that it was done in an unparliamentary way."[2]

In the reign of Charles II. riotous debates were of frequent if not daily occurrence. When Titus Oates appeared at the bar of the Commons to accuse Queen Katherine of high treason, partisan excitement reached a dangerous pitch. In 1675, a free fight between Lord Cavendish and Sir John Hanmer was only prevented by the tact of Speaker Seymour, who resumed the Chair on his own responsibility—the House was in Committee at the time—and managed to quell the disturbance before blows had been exchanged.

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[1] Mountmorris's "History of the Irish Parliament," vol. i. p. 77.

[2] Palgrave's "House of Commons," p. 18. (The Speaker, however, does not appear to have thought it necessary to call upon the member for Coventry to withdraw his fierce and unparliamentary expression.)

Scenes of a less serious nature took place on many occasions. Andrew Marvell, the much respected member for Hull, was entering the House of Commons one morning when he accidentally stumbled against the outstretched leg of Sir Philip Harcourt. In recovering himself, Marvell playfully dealt Sir Philip a resounding box on the ear. The Speaker at once drew the attention of the House to this affront, and members became greatly excited. When Marvell was at length allowed an opportunity of speaking, he explained that "what passed was through great acquaintance and familiarity" between Sir Philip and himself, and that his blow was merely a token of deep affection. After a heated debate the matter was allowed to drop, though other members of the House must subsequently have fought shy of making friends with a man who expressed his liking in so boisterous and painful a fashion.[1]

The fact that many members of both Houses frequently attended the debates in an advanced stage of intoxication was, perhaps, the cause of most of the parliamentary unpleasantness of past days. At Westminster, indeed, the sobriety of legislators was scarcely more noticeable than at Edinburgh, where the Scottish Parliament that met on the Restoration of Charles II. was forced to adjourn, owing to the fact that the Commissioner Middleton and most of the members were too drunk to deliberate.

Instances of parliamentary intemperance and its natural results were common enough in those days. In 1621, a quarrel arose in the House of Lords between the Earl of Berkshire and Lord Scrope. The former quickly lost his temper and laid violent hands on his colleague. For this he was called to the bar, censured by the Lord Chancellor, and committed to the Tower. Again, at a conference between the two English Houses, in 1666, the Lords behaved to one another with extreme discourtesy. The Duke of Buckingham opened the proceedings by leaning across Lord Dorchester in a rude and offensive manner. The latter gently but firmly removed the intruding elbow, and on being asked if he were uncomfortable, replied that he certainly was, and that nowhere but in the House of Lords would the Duke dare to behave in so boorish a fashion. Buckingham irrelevantly retorted that he was the better man of the two, whereupon Dorchester told his noble colleague that he was a liar. The Duke then struck off the other's hat, seized hold of his periwig, and began to pull him about the Chamber. At this moment, luckily, the Lord Chamberlain and several peers interposed, and the two quarrelsome noblemen were sent to the Tower to regain control of their tempers.

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[1] Andrew Marvell's "Works," vol. ii. p. 33. (Sir Philip Harcourt might well have anticipated the remark made by the Georgian monarch who, while leaning out of a window, received a severe blow from a footman who had mistaken the royal back for that of his fellow-domestic, James. "Even if I had been James," the King plaintively exclaimed, "you needn't have hit me so hard!")

The Commons meanwhile were behaving in no less reprehensible a manner. "Sir Allen Brodricke and Sir Allen Apsly did come drunk the other day into the House," says Pepys, "and did both speak for half an hour together, and could not be either laughed, or pulled, or bid to sit down."[1] Such a state of things was so usual in either House at the time as to provoke neither comment nor criticism. The tone of society may be gauged from the fact that at the end of the seventeenth century it was not thought peculiar for a party of Cabinet Ministers, including the Earl of Rochester, then Lord High Treasurer of England, stripped to their shirts and riotously intoxicated, to climb the nearest signpost in order to drink the King's health from a suitable point of vantage.[2]

The usual condition of the Commons during the hearing of election petitions a hundred years later has been forcibly described by Thomas Townshend. "A House of twenty or thirty members," he says, "half asleep during the examination of witnesses at the bar, the other half absent at Arthur's or Almack's, . . . returning to vote so intoxicated that they could scarcely speak or stand." It must, however, be admitted that members' frequent potations did not always affect their utterance. Indeed, they sometimes appear to have had an entirely opposite result. In 1676, Lord Carnarvon, under the influence of wine, made a remarkably humorous and able speech in the House of Lords, causing the Duke of Buckingham to exclaim, "The man is inspired, and claret has done the business!" Charles Townshend, too, whom Burke called the delight and ornament of the House, and who was offered the Chancellorship of the Exchequer by Pitt, seems to have been far more eloquent in his cups than at any other time. He is chiefly famous for making what is known as the "Champagne Speech" of May 12th, 1767—a speech which, as Walpole declared to a friend, nobody but Townshend could have made, and nobody but he would have made if he could. It was at once a proof that his abilities were superior to those of all men, and his judgment below that of any man. It showed him capable of being, and unfit to be, Prime Minister. "He beat Chatham in language, Burke in metaphors, Grenville in presumption, Rigby in impudence, himself in folly, and everybody in good humour."[1] Half a bottle of champagne, as Walpole said, poured on genuine genius, had kindled this wonderful blaze.

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[1] "Diary," December 19, 1666.

[2] Reresby's "Memoirs," p. 231.

Pitt, as is well known, possessed a marvellously strong head. He and Dundas one evening finished seven bottles without the slightest difficulty, and he would often fortify himself with whole tumblers of his favourite wine before going down to Westminster.[2]

It was during the famous debate of February 21, 1783, when Fox was defending the Peace of Paris, that Pitt retired behind the Speaker's Chair to be actively unwell, at the same time keeping his hand up to his ear that he might miss none of his rival's points. His conduct on this occasion affected one of the sensitive clerks at the Table with a violent attack of neuralgia—a providential division of labour, as Pitt pointed out, whereby he himself had enjoyed the wine while the clerk had the headache! It has often been considered surprising that Pitt should have been able to exercise such influence on the House after drinking three bottles of strong port, but, as a distinguished statesman has observed, it must be remembered that he was addressing an assembly few of whose members had drunk less than two.

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[1] "Extracts of the Journals and Correspondence of Miss Berry," vol. ii. p. 35.

[2] Samuel Rogers' "Recollections," p. 112.

At the commencement of the nineteenth century, when Abbot was in the Chair, the member for Southampton, Fuller by name, entered the House in a hazy but happy frame of mind, which induced him to mistake the Speaker in his wig for an owl in an ivy bush. He was promptly removed by the Sergeant-at-Arms, and kept in custody until his eyesight had resumed its normal condition.[1] Another member, Sir George Rose, arrived at Westminster in a condition which inspired him to call upon the Speaker for a comic song, and led to his being taken in charge by the Sergeant-at-Arms.

Lord Chancellor Brougham used to refresh himself copiously while upon the Woolsack, and, during his four-hour speech on the Reform Bill, drank no less than five tumblers of mulled port and brandy.[2] There was, therefore, perhaps some reason for his extreme indignation when the Duke of Buckingham referred to the possibility of disturbing him in the midst of his "potations pottle deep"—a quotation which Brougham did not recognize, and which evoked from him a violent outburst.[3]

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[1] Townsend's "History," vol. ii. p. 93.

[2] Campbell's "Lives of the Chancellors."

[3] Grant's "Recollections of the House of Lords" (1834). (This is not the only instance of a well-known quotation passing unrecognized in Parliament. In 1853, when Bishop Wilberforce made a good-humoured attack on Lord Derby, the latter remarked that a man might "smile and smile and be a villain," and thereby caused much excitement among the Lords, who had not recently studied their "Hamlet.")

HENRY BROUGHAM

QUEEN CAROLINE'S ATTORNEY-GENERAL, AFTERWARDS LORD HIGH CHANCELLOR OF GREAT BRITAIN

From the painting by James Lonsdale in the National Portrait Gallery

Peers and members of Parliament to-day have no such weaknesses, or, at any rate, refrain from exhibiting them in Parliament. There have been, of course, exceptional instances, even in modern times, of persons speaking under the influence of drink, but these are so rare as scarcely to deserve mention. An Irishman in a conspicuously genial frame of mind referred to a Conservative member in the lobby as a "d—— fool." The latter overheard this remark and contemptuously retorted that his honourable friend was drunk. "I may be drunk," admitted the Irishman, "but to-morrow I shall be sober. Whereas you'll be a d—— fool to-morrow, and the next day, and all the rest of your life!" During one of those interminable sittings of 1877, when obstruction was at its height, another Irishman, "weary with watching, and warm with whisky," applied the same opprobrious term to a fellow member. On being ordered to withdraw the expression he explained that it "was only a quotation." "Whether the remark of the hon. gentleman can be explained by a quotation or a potation," said the Chairman, "it is equally inadmissible, and I must beg him in future to mind his p's and q's."[1]

Irish members have probably been the cause of more parliamentary disturbance than all the rest of their colleagues put together. Daniel O'Connell, whom Disraeli once called "the vagabond delegate of a foreign priesthood,"[2] was a perpetual source of trouble to the House. In 1840, he was the centre of one of the most noisy scenes that has ever outraged its dignity. Macaulay declared that he had never before or since seen such unseemly behaviour, or heard such scurrilous language used in Parliament. Members on both sides of the House stood up and shouted at the tops of their voices, shaking their fists in one another's faces.[3] Lord Norreys and Lord Maidstone particularly distinguished themselves by the pandemonium they created, while others of their

[1] "Quarterly Review," vol. cxlv. p. 247.

[2] "Letters of Runnymede," p. 6.

[3] Trevelyan's "Life of Macaulay," vol. ii. p. 76.

colleagues gave farmyard imitations, and for a long time the whole House continued in a state of ferment. O'Connell's reference to the sounds emitted by honourable gentlemen as "beastly bellowings" only made matters worse. As a French visitor who was present during this scene has described: "Pendant plusieures heures plus de cinq cents membres crient de toutes leurs forces 'à l'ordre! à la porte O'Connell!' le tout accompagné des imitations zoologiques les plus étranges et les plus affreuses. C'étaient les cris de deux armées de sauvages en presence."[1]

"Imitations zoologiques" have always been a popular but by no means the only method employed by members desirous of drowning the words of a tiresome speaker. John Rolle, the hero of the "Rolliad," promoted a "smoking and spitting party" to interrupt and annoy Burke.[2] In 1784, the latter told a number of youthful opponents who interrupted him with their howls that he could teach a pack of hounds to yelp with more melody and equal comprehension. Ten years before the O'Connell scene Brougham excited the House to uproar of a similarly puerile character. He remained calm and unmoved, however, and, when the bestial cries of his audience subsided for a moment, pleasantly observed that by a wonderful disposition of nature every animal had its peculiar mode of expressing itself, and that he was too much of a philosopher to quarrel with any of those modes—a remark which does not appear to have subdued the clamour to any appreciable extent.[3] A similar uproar which the Speaker was powerless to quell arose in 1872, when Sir Charles Dilke brought forward a motion to inquire into the manner in which the income and allowances of the Crown were spent.

Members who are anxious to bring a debate to a close still have recourse to sound, crying, "'Vide! 'Vide!" in an earsplitting fashion, which occasionally evokes a rebuke from the Speaker. But there is seldom, nowadays, such a scene of violence as occurred in both Houses upon the dissolution of Parliament in April, 1831. The Commons indulged in a painful scene "of bellowing, and roaring, and gnashing of teeth, which it was almost frightful to look at," says Cockburn.[1] In the Upper House peers behaved no less childishly. Lord Mansfield doubled up his fist, elbowed Lord Shaftesbury into the Chair, and hooted Lord Brougham as he left the House.[2] Lord Lyndhurst, meanwhile, was threatening the Duke of Richmond with physical violence, and the uproar was only quelled by the arrival of the King.[3] One must not, of course, forget the notorious modern instance of ill manners, already described,[4] when, in 1893, members exchanged blows upon the floor of the Commons. This, however, is a painful exception, little likely to recur.

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[1] "La France et L'Angleterre," par F. de Tassies. (Quoted in O'Connell's "Recollections," vol. i. p. 261.)

[2] Thomas Moore's "Memoirs," vol. ii. p. 296.

[3] Miss Martineau's "History of the Peace," vol. ii. p. 381.

Politicians have learnt to control their feelings, and the present publicity of parliamentary proceedings acts as a salutary deterrent to outbursts of the elemental passions. Neither House to-day would dream of expressing its emotion in the open fashion common to Parliaments of long ago. The sight of a Lower Chamber dissolved in tears is no longer possible. Yet, in 1626, when, by the King's command, no discussion was permitted on the question of Buckingham's impeachment, a lachrymose Speaker led the whole House of Commons in a chorus of weeping. Two years later Sir Edward Coke welcomed the introduction of the Petition of Right in a voice choked with sobs. Wingfield wept for joy when monopolies were abolished in Queen Elizabeth's reign,[5] and we have already noted the tears shed by Colonel Wanklyn when he was expelled, and by Speaker Finch when he was forcibly detained in the Chair. Fox shed frequent tears in the House of Commons; Pitt wept bitterly when his friend, Lord Melville, was impeached. Lord Chancellors, too, were not ashamed to express their feelings in loud sobs, Eldon's eyes becoming sympathetically moist, while even the "rugged Thurlow" sprinkled the Woolsack with his tears.

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[1] Cockburn's "Life of Jeffrey," vol. i. p. 317.

[2] Duncombe's "Life of his Father," vol. i. p. 115.

[3] Brougham's "Life," vol. iii. p. 117.

[4] Supra, p. 131.

[5] Townshend's "Proceedings of Both Houses," p. 252.

Members no longer weep, except perchance in the privacy of their own homes; nor do they follow their predecessors' fashion of converting the House of Commons into a smoking-room or a lounge, in which to sleep off the effects of their potations. The free and easy habits of seventeenth-century politicians made it necessary for a regulation to be framed that "No tobacco should be taken by any member in the gallery, nor at the table sitting in Committees."[1] And it was no uncommon sight, a hundred years ago, to see members stretched at full length on the benches of the Chamber, with their feet resting on the backs of the seats in front of them, punctuating the proceedings with their stertorous snores.[2]

Lord North was notorious for his gift of somnolence in the House of Commons. "Behold," said Edmund Burke, with that indifferent taste for which he was noted, as he pointed to the recumbent figure of the Prime Minister, "the Government, if not defunct, at least nods; brother Lazarus is not dead, but sleepeth." North was dozing on another occasion when a member attacked him fiercely, saying that he ought certainly to be impeached for his misdeeds. "At least," exclaimed the Minister, waking for a moment, "allow me the criminal's usual privilege—a night of rest before the execution!"[3] He felt no shame at giving way to slumber in debate, and when an opponent remarked that "Even in the midst of these perils, the noble lord is asleep!" "I wish to God I was!" he replied with heartfelt fervour.[4] He would always take the opportunity afforded by a lengthy speech to snatch forty winks. Once, when the long-winded Colonel Barré was addressing the House on the naval history of England, tracing it back to the earliest ages, North asked a friend to wake him up as soon as the speaker approached modern times. When at length he was aroused, "Where are we?" asked the Premier, anxiously. "At the battle of La Hogue, my lord." "Oh, my dear friend," said North, "you've woken me a century too soon!"[1]

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[1] Regulations in the Journals, March 23, 1693.

[2] "L'Illustre enceinte présente souvent l'aspect d'une assemblée de *yankees* beaucoup plus que celui d'une réunion de *gentlemen*." Franqueville's "Le Gouvernement et le Parlement britaniques," vol. iii. p. 74.

[3] Timbs' "Anecdotal Biography," vol. i. p. 234.

[4] Pryme's "Recollections," p. 114.

A marked improvement in the conduct of modern debate is to be noticed in the comparatively inoffensive character of the epithets used by members with reference to their opponents. The decencies of debate are, as a rule, religiously observed. Recriminations are rare. Measures are attacked, not men. The secession of a statesman is considered a political but not a personal offence, and what Palmerston once called the "puerile vanity of consistency" is no longer worshipped fanatically. Gladstone rightly called the House of Commons a "school of temper," as well as a school of honour and of justice. Offensive allusions have always been deprecated there, but it is only within the last few score years that members have controlled their tongues to any appreciable extent in this direction. Hasty remarks are nowadays withdrawn at the first suggestion of the Speaker, though on occasion an apology may be as offensive as the original insult. Lord Robert Cecil (afterwards Lord Salisbury) said of a speech of Gladstone's in 1861, that it was "worthy of a pettifogging attorney." Soon afterwards he rose in the House, and said that he wished to apologise for a remark he had lately made. "I observed that the speech of the right hon. gentleman was worthy of a pettifogging attorney," he said, "and I now hasten to offer my apologies—to the attornies!"

It is usual nowadays to wrap up offensive criticisms in a more or less palatable covering, to attack by inference rather than by direct assault. "I am no party man," said Colonel Sibthorpe, member for Lincoln, after the dissolution of Sir

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[1] Harford's "Recollections of Wilberforce," p. 94.

Robert Peel's Government. "I have never acted from party feelings; but I must say I do not like the countenances of honourable gentlemen opposite, for I believe them to be the index of their minds. I can only say, in conclusion, that I earnestly hope that God will grant the country a speedy deliverance from such a band."[1] This is a good example of an unpleasant thing framed in a manner which does not lay it open to the stigma of disorderly language, and is just as effective as that oft-quoted attack made by a member of the Irish House of Commons on George Ponsonby (afterwards Irish Chancellor), whose sister was sitting in the gallery at the time. "These Ponsonbys are the curse of my country," said the member; "they are prostitutes, personally and politically—from the toothless old hag who is now grinning in the gallery to the white-livered scoundrel who is now shivering on the floor!"[2]

Members who consider themselves aggrieved or insulted have now no redress save by an appeal to the Speaker. In old days they often took the matter into their own hands, and many a duel was the outcome of hasty words spoken in Parliament. So prevalent, indeed, did the habit of duelling become, that in 1641 a resolution was passed in the Commons empowering the Speaker to arrest any member who either sent or received a challenge. The practice of parliamentary duelling long continued, in spite of every effort to stifle it. Wilkes was wounded in 1763 in Hyde Park by a member named Martin, who had called him "a cowardly scoundrel." Lord Castlereagh and Canning met in 1809, and had, in consequence, to resign their seats in the Cabinet.[3] Lord Alvanley fought Morgan O'Connell, son of the Liberator, on his father's account. Charles James Fox was challenged by Mr. Adam, of the Ordnance Department, for a personal attack made in the House of Commons, and faced him in the old Kensington Gravel Pits. At the first shot Adam's bullet

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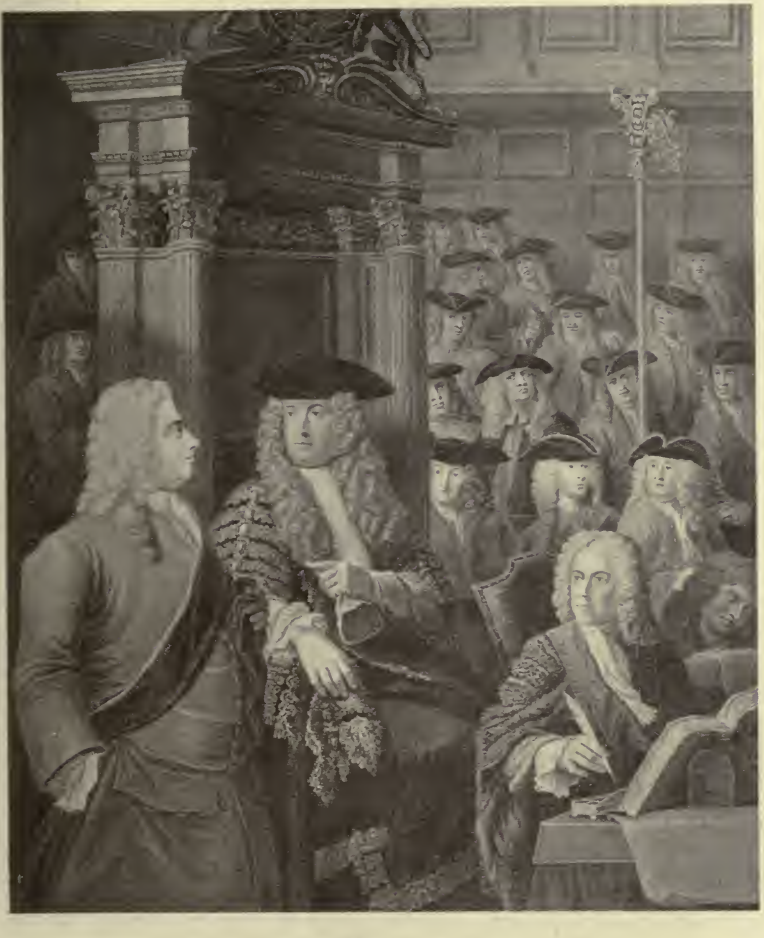
[1] Grant's "Recollections," p. 140.

[2] Hayward's "Essays," pp. 364–5.

[3] Bell's "Life of Canning," p. 251.



THE HOUSE OF COMMONS IN WALPOLE'S DAY

FROM THE ENGRAVING BY A. FOGG

THE FIGURES FROM LEFT TO RIGHT ARE :—SIR ROBERT WALPOLE, THE RT. HON. ARTHUR ONSLOW, SYDNEY GODOLPHIN (FATHER OF THE HOUSE), SIR JOSEPH JEKYL, COL. ONSLOW, EDWARD STABLES, ESQ. (CLERK OF HOUSE OF COMMONS), SIR JAMES THORNHILL, MR. AISKEW (CLERK ASSISTANT)

lodged harmlessly in his opponent's belt. "If you hadn't used Ordnance powder," said Fox, with a laugh, as he shook hands with Adam after the fight, "I should have been a dead man."[1]

If duels were fought in those days on very slight provocation, challenges were also occasionally declined on equally poor grounds. Colonel Luttrell, member for Middlesex, and afterwards Lord Carhampton, refused to fight his own father, not because he was his father, but because he was not a gentleman!

The last duel between politicians was that fought by the Duke of Wellington and Lord Winchelsea, as the result of some remarks made by the latter during a debate on the Roman Catholic Emancipation Bill in 1830. Since that time no parliamentary dispute has been referred to the arbitrament of the pistol.

Although there has been a perceptible improvement in parliamentary deportment as the centuries have advanced, the same can scarcely be said of parliamentary dress. In the time of Charles II., knee-breeches, silk stockings, and silver-buckled shoes were absolutely *de rigueur* for members of the Commons. A hundred years later members of Parliament always wore court dress, with bag-wig and sword, in the House. The formal costume prescribed by etiquette was rigidly adhered to, and none but county members were permitted the privilege of wearing spurs.[2] At this time, too, Cabinet Ministers were never seen in Parliament without the ribbons and decorations of the various orders to which they belonged. The regulation which bids the mover and seconder of the Address to appear in court dress on the first day of the new Parliament is the only relic of this custom.

Fifty years ago no member of either House would have appeared within the precincts of the Palace of Westminster wearing anything upon his head but a high silk hat. Gradually, however, a certain laxity in the matter of head-gear has crept into Parliament, and to-day, not only "bowlers," but even "cricketing caps" may be seen reposing upon the unabashed heads of members. Peers, as a rule, conform to the older fashion, and Cabinet Ministers usually dress in a respectably sombre garb. But among the rank and file of the House of Commons may occasionally be found members wearing check suits of the lightest and loudest patterns, and hats of every conceivable variety, ranging from the æsthetic "Homburg" to the humble cloth cap. The passing of the top hat must necessarily appear somewhat in the light of a tragedy to older parliamentarians. In both Houses the hat has long come to be regarded as a sacred symbol. It is with this article of clothing that the member daily secures his claim to a seat on the benches of the House of Commons; with a hat he occasionally expresses his enthusiasm or sympathy; on a hat does he sit at the close of a speech, with the certainty of raising a laugh; and without a hat he cannot speak upon a point of order when the House has been cleared for a division.

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[1] Pryme's "Recollections," p. 235.

[2] Lord Colchester's "Diary," vol. i. p. 45.

When the Labour Party began to take an important place in the popular assembly, it was thought that this democratic invasion would have an actively detrimental effect upon the dress of the House. Old-fashioned members shook their heads and prophesied an influx of hobnailed artisans, clad in corduroys, their trousers confined at the knee with string, and in their mouths a short clay pipe. These gloomy forebodings have not been realised. With very few exceptions the dress of Labour members is little calculated to offend the most sensitive eye, though it was certainly one of their number who first entered a startled House of Commons in a tweed stalking-cap—a form of head-dress which it is certainly difficult to forgive.

CHAPTER XII

PARLIAMENTARY ELOQUENCE

WHEN Pitt was asked what he considered most to be lamented, the lost books of Livy, or those of Tacitus, he replied that to the recovery of either of these he would prefer that of a speech by Bolingbroke. Not a fragment of what Dean Swift called the "invincible eloquence" of that statesman is left to us. But though we are compelled to take his reputation as an orator on trust, we should do wrong to complain, for it is more than probable that a perusal of Bolingbroke's speeches to-day would prove disappointing.

"Words that breathed fire are ashes on the page," and the utterances that have stirred a thousand hearts in the Senates of old days too often leave the modern reader cold and unmoved. We miss the inflections of a magical voice, the stimulating plaudits of friends or followers, the magnetism that can only be communicated by a personal intercourse between a speaker and his audience. The reading of old speeches is, as Lord Rosebery has observed, a dreary and reluctant pilgrimage which few willingly undertake. It supplies, as a rule, but a poor explanation of the effect which the eloquence of past orators produced upon their contemporaries. It is like attending an undress rehearsal of a play in an empty theatre on a cold winter's afternoon. The glamour of costume, of limelight, is lacking; the atmosphere of appreciation, excitement, enthusiasm, is absent. The difference between the spoken and the published oration has been aptly defined as the difference between some magnificent temple laid open to the studious contemplation of a solitary visitant, and the same edifice beheld amidst the fullest accompaniments of sacrificial movement and splendour, thronged with adoring crowds, and resounding with solemn harmonies.[1]

It has often been affirmed that no speech in Parliament has ever resulted in the winning of a division. Byron declared that "not Cicero himself, nor probably the Messiah, could have altered the vote of a single lord of the Bedchamber or Bishop."[2] There are, however, one or two instances of orations which have been so moving in their appeal that they may claim to be exceptions to this rule. Plunket's famous speech in the debate on Grattan's motion for Catholic Emancipation in 1807 is said to have gained many votes. Macaulay won the support of several opponents by an eloquent speech on the second reading of Lord Mahon's Copyright Bill in 1842, and, on a Bill introduced by Lord Hotham to exclude certain persons holding offices from the House of Commons, actually caused the anticipated majority to be reversed.

On one memorable occasion when Sheridan, with that impassioned oratory for which he had already become famous, was advocating the prosecution of Warren Hastings, the House of Commons was so stirred that a motion for adjournment was made in order to give members time to recover from the overpowering effect of his eloquence.[3] Again, during the debate on Commercial Distress in December, 1847, Peel roused the fury of the Protectionists by a violent and able speech, and, when he resumed his seat, an adjournment was moved on the ground that the House was not in a condition to vote dispassionately. Burke, too, seems at times to have stimulated his hearers to an active expression of their emotion; and when he was lamenting the employment of Indians in the American War, a fellow-member was so moved that he offered to nail a copy of his speech upon the door of every church in the kingdom.[4]

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[1] "Quarterly Review," vol. xxii. p. 496.

[2] Moore's "Life of Byron," 185.

[3] Barnes' "Reminiscences," p. 203.

[4] Prior's "Life of Burke," vol. i. p. 337.

Yet the speeches of Burke and Sheridan do not affect us to-day with anything but a mild enthusiasm, chiefly founded upon our admiration of their literary excellence. We remain comparatively indifferent to their appeal; our hearts beat no faster as we read.

Sheridan's two orations on the subject of Warren Hastings' impeachment—the one delivered in the House of Commons on February 7, 1787, and the other in Westminster Hall during the trial—have been considered among the very finest ever made in Parliament. It was after the first of these, which lasted for five hours, that the House adjourned to enable members to survey the question calmly, freed from the spell of the enchanter. Sheridan's style, according to Burke, was "something between poetry and prose, and better than either."[1] Even the fastidious Byron declared him to be the only speaker he ever wished to hear at greater length. He was offered £1000 by a publisher for his great "Begum Speech," if he would but consent to correct the proofs; but for long he refused. Eventually he agreed to its publication, but by that time popular interest had subsided.[2] As much as fifty guineas was paid for a seat to hear his speech at the trial of Hastings, when, as Ben Jonson wrote of Bacon, "the fear of every man that heard him was lest he should make an end."[3]

The speeches of Burke, whom Macaulay has described as the greatest man since Milton, are perhaps the most suitable for perusal of any ever delivered in Parliament. They read better than they sounded as delivered; they are rather pamphlets than orations. Burke himself was deficient in many of the qualities of an orator. His voice was harsh and his gestures ungainly. He never consulted the prejudices of his audience. His lapses from good taste were frequent, and among his most splendid passages may be found occasional coarse and vulgar epithets and expressions. Yet so great was his eloquence, so marvellous his oratorical powers, that Byron has included him with Pitt and Fox among the "wondrous three whose words were sparks of immortality." And the florid Dr. Parr can scarcely find words sufficiently eulogistic to sing his praises.[1]

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[1] Moore's "Life of Sheridan," vol. i. p. 523.

[2] He never received the promised £1000. (See Barrington's "Personal Sketches of His Own Times," vol. i. p. 429.)

[3] "Cornwallis Papers," vol. i. p. 364 n.

In the seventeenth century parliamentary attendance and eloquence were equally poor. Not only did many members speak indifferently; at times there would be long intervals of silence when members did not speak at all. "A pause for two or three minutes," . . . "The House sat looking at each other,"[2] are some of the entries in the reports which must strike the modern mind, accustomed to the present House of Commons, as peculiar. Steele described the House of his day as being composed of silent people oppressed by the choice of a great deal to say, and of eloquent people ignorant that what they said was nothing to the purpose.[3]

It was not until the Georgian age that parliamentary oratory reached its heyday. Then, too, speeches began to lengthen, and by the time Lord North became Prime Minister it was not unusual for a member to address the House for two or three hours on end. Lord Brougham once spoke for six hours on the amendment of the law. Even in Walpole's day occasional prolixity was not unknown. One Hutcheson, member for Hastings, when the Septennial Bill of 1716 was under discussion, made a speech of which the summary fills more than twenty-five pages of the Parliamentary History.[4] Again, when David Hartley, a notorious bore, rose to speak one day, Walpole went home, changed his clothes, rode to Hampstead, returned, changed once more, and came back

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[1] "Burke . . . By whose sweetness Athens herself would have been soothed, with whose amplitude and exuberance she would have been enraptured, and on whose lips that prolific mother of genius and science would have adored, confessed, the Goddess of Persuasion." Prior's "Burke," p. 484.

[2] Townsend's "History of the House of Commons," vol. ii. p. 427.

[3] Forster's "Biographical Essays," vol. ii. p. 197.

[4] Vol. vii. pp. 339-367.

EDMUND BURKE

FROM AN ENGRAVING BY J. WATSON AFTER THE PAINTING BY SIR J. REYNOLDS

to the House to find this tiresome member still upon his legs.[1]

Chatham was the first statesman to make a habit of delivering long speeches. The practice was never popular, and has now fallen into desuetude. The rising to his feet of a tedious member has ever been the signal for the House to clear as though by magic. Sergeant Hewitt, member for Coventry in 1761, was a well-known parliamentary emetic. "Is the House up?" asked a friend of Charles Townshend, seeing the latter leaving St. Stephen's Chapel. "No," replied Townshend, "but Hewitt is!"[2] The departure of his audience is, however, a hint to which the habitual bore is generally impervious. A dull and lengthy speaker, addressing empty benches in the House of Commons, whispered to a friend that the absence of members did not affect him, as he was speaking to posterity. "If you go on at this rate," was the unkind reply, "you'll see your audience before you!"[3]

When Gladstone brought in his first Budget in 1853 he spoke for five hours. He had been advised by Sir Robert Peel to be long and diffuse, rather than short and concise, seeing that the House of Commons was composed of men of such various ways of thinking, and it was important to put his case from many different points of view so as to appeal to the idiosyncrasies of each.[4] In the days of his Premiership, however, Gladstone's speeches were considerably shortened, and even the introduction of so momentous and intricate a measure as the Home Rule Bill of 1886 was accomplished in three and a half hours. Lengthy speeches are no longer fashionable, though Mr. Biggar spoke for four hours on a famous occasion in 1890, and Mr. Lloyd George occupied the same time in unfolding the much-discussed Finance Bill of 1909.

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[1] Pryme's "Recollections," p. 218 n.

[2] O'Flanaghan's "Lives of the Irish Chancellors," vol. ii. p. 128.

[3] Townsend's "House of Commons," vol. ii. p. 394.

[4] Morley's "Life of Gladstone," vol. i. p. 143.

Though the oratorical masterpieces of the past may, for the most part, be dull reading, to the student or historian they must always prove interesting and instructive, as revealing those peculiar qualities which appeal to a parliamentary audience. They explain to a certain extent what it is that a speech must possess in order to meet with the approval of either House.

Parliament—and more especially the House of Commons—is no very lenient critic; but it is a sound one. It pardons the faults of style or manner due to inexperience; it tolerates homeliness that is the outcome of sincerity. It has a keen eye for motives, and anything pretentious or dishonest is an abomination to it. Matter is of far greater importance than manner, and Parliament agrees with Sir Thomas More that whereas "much folly is uttered with pointed polished speech, so many, boisterous and rude in language, see deep indeed, and give right substantial counsel."[1] Sincerity, in fact, has far more influence in the House of Commons than either brilliancy or wit, and any attempt at platform heroics is certain to fail. There is nothing the House is so fond of, Sheil used to say, as facts.[2] There is nothing it so much resents, we might now add, as violations of good taste. This fastidiousness is no doubt of modern growth, for we find Burke's coarseness readily condoned, and Sheil himself lapsing into occasional vulgarity.[3]

Like all assemblies of human beings, Parliament has always welcomed an opportunity for laughter. In the House of Commons the poorest joke creates amusement; the man who sits upon his hat at once becomes a popular favourite; a "bull" is ever acceptable. When Sheridan, in 1840, attacked another member, saying, "There he stands, Mr.

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[1] Roper's "Life of More," p. 16.

[2] MacCullagh's "Memoirs of Sheil," vol. ii. p. 99.

[3] Speaking on Church reform, Sheil once said that when this was effected, "the bloated paunch of the unwieldy rector would no longer heave in holy magnitude beside the shrinking abdomen of the starving and miserably prolific curate." Francis's "Orators," p. 274.

Speaker, like a crocodile, with his hands in his pockets, shedding false tears!" the House rocked with laughter.[1] Yet the phrase did not originate with Sheridan, but was one of the many "bulls" that had been coined by that prince of bull-makers, Sir Boyle Roche. It was Roche who declared that he could not be in two places at once "like a bird"; who attempted to "shunt a question by a side-wind"; and announced that he was prepared to sacrifice not merely a part but the whole of the Constitution to preserve the remainder! "What, Mr. Speaker!" he inquired on a famous occasion in the Irish House of Commons, "are we to beggar ourselves for fear of vexing posterity? Now, I would ask the honourable gentleman, and this *still more* honourable House, why we should put ourselves out of our way to do anything for *posterity;* for what has posterity done for us?"[2]

"The House loves good sense and joking, and nothing else," said Sir T. F. Buxton, in 1819; "and the object of its utter aversion is that species of eloquence which may be called Philippian."[3] Sentimentality of any kind is rarely tolerated in Parliament, as may be seen by the indifference with which Burke's dagger and Lord Brougham's melodramatic prayer were greeted. When Bright, during the Crimean War, delivered himself of that famous phrase, "The Angel of Death has been abroad throughout the land; you may almost hear the beating of its wings!" it was a question as to how members would take so sentimental a simile. Had the speaker substituted the word "flapping" for "beating," as Cobden afterwards observed to him, they would have roared with laughter.

The House of Commons, as a writer has remarked, is a body without any principles or prejudices, except against bores. "He who comes to it with a good reputation has no better chance than he who besieges it with a bad one. It rejects all pretensions it has not of itself justified, and all fame it has not itself conferred."[1] It has, indeed, always been remarkable for a great reluctance in confirming reputations for oratory gained elsewhere. Wilkes could sway the populace with his grandiloquent declamations, but failed ignominiously in Parliament; Kenealy was refused a hearing. The chastening effect of the Lower House is notorious, and many a conceited, self-opiniated individual has found his level after a brief course of subjection to what Sir James Mackintosh called the "curry-comb of the House of Commons."[2]

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[1] Raikes's "Journal," vol. ii. p. 256.

[2] Barrington's "Personal Sketches," vol. i. p. 213. (Curran once made a happy retort to Roche. "Do not speak of my honour," said the latter, "I am the guardian of my own honour." "Faith!" answered Curran, "I knew that at some time or other you would accept a sinecure." Philips's "Life of Curran," p. 59.)

[3] "Memoirs," p. 89.

Besides bores and demagogues, of which it is justly intolerant, the House of Commons may at one time be said to have numbered lawyers among its pet aversions. The latter are apt to lecture their fellow-members as though they were addressing a jury, explaining the most patent facts, and generally assuming a didactic air which the House finds it difficult to brook.[3] This perhaps explains the failure of such distinguished men as Lord Jeffrey and Sir James Mackintosh, both eloquent lawyers who made little or no mark in Parliament, and of many other "gentlemen of the long robe," as Disraeli contemptuously called them.

Speaking in Parliament is indeed a matter very different to addressing an audience in the country, on the hustings, or in some local town hall. The platitudes that evoke such enthusiasm when delivered from a village platform fall very flat in either House. The chilling atmosphere and sparse attendance of the Lords is not conducive to feelings of self-confidence: the critical gaze of fellow-members in the

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[1] Whitty's "History of the Session" (1852–3), p. 7.

[2] "Journal," vol. i. p. 342.

[3] "Accustomed in their courts to consider every matter of equal importance," says Barnes, "they adopt the same earnest and stiff solemnity of manner, whether they are disputing about violated morality or insulted liberty, or about a petty affray where a hat, value one shilling, has been torn in a scuffle." "Parliamentary Sketches," p. 79.

Commons is little calculated to alleviate a sudden paroxysm of shyness.

The unknown parliamentary speaker is greeted with a respectful but ominous silence when he rises to his feet. He misses the applause of electors or tenantry to which he is accustomed in his constituency or on his estate. He has no table on which to place his sheaf of notes; there is no water-bottle at hand to moisten his parched lips or give him a moment's pause when the stream of his eloquence runs temporarily dry. He cannot choose the best moment for delivering his speech, but must be content to take such opportunities as are afforded by circumstances. In the House of Commons a member may have waited half the night to catch the elusive eye of the Speaker—though a man who wishes to make his maiden speech is usually accorded this privilege—and, by the time his turn comes, most of his choicest and brightest thoughts have already been anticipated by former speakers. It is not, therefore, to be wondered at that many men find themselves unequal to the task of passing successfully through this ordeal, and that the maiden speech of a future statesman has often proved a complete fiasco.

In 1601, we read of a Mr. Zachary Lock, a member who "began to speak, who for very fear shook, so that he could not proceed, but stood still awhile, and at length sat down."[1] This same experience has since befallen many another politician. The bravest men become inarticulate in similar circumstances. After the naval victory of June 1, 1794, Vice-Admiral Sir Alan Gardiner received a vote of thanks from the House of Commons, and, though he had taken the precaution of fortifying himself with several bottles of Madeira, could scarcely summon up courage to mumble a reply.[2] And in our own time we have seen another gallant officer overcome with "House-fright" to such an extent as to be unable to deliver the message which, in his official capacity as Black

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[1] D'Ewes' "Journal," p. 666.

[2] "Life of Sidmouth," vol. i. p. 119.

Rod, he had brought to the Commons. John Bright never rose in the House without what he called "a trembling of the knees." Gladstone was always intensely nervous before a big speech. Disraeli declared that he would rather lead a forlorn hope than face the House of Commons.

A good description of the sensations felt by a panic-stricken member making his debut is given by Lord Guilford, son of Lord North, whose appearance in the House was brief, if not exactly meteoric. "I brought out two or three sentences," he says, "when a mist seemed to rise before my eyes. I then lost my recollection, and could see nothing but the Speaker's wig, which swelled and swelled and swelled till it covered the whole House."[1]

The failure of a first speech has not always been the presage of a politician's future non-success. Addison broke down on the only occasion on which he attempted to address the House, yet he reached high office as Irish Secretary before he had been nine years in Parliament.[2] Walpole's first speech was a complete failure, as was, in a lesser degree, Canning's, though both were listened to in silence. Even the silver-tongued Sheridan himself made a poor impression upon the House with his earliest effort. After delivering his maiden speech, he sought out his friend Woodfall, who had been sitting in the gallery, and asked for a candid opinion. "I don't think this is your line," said Woodfall. "You had much better have stuck to your former pursuits." Sheridan pondered for a moment. "It is *in* me," he said at

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[1] Harford's "Recollections of Wilberforce," p. 95. (Guilford hastily resumed his seat, shortly afterwards applied for the Chiltern Hundreds, and retired into comfortable obscurity.)

[2] His first effort in the Irish House, in 1709, was singularly abortive. "Mr. Speaker, I conceive——" he began. "Mr. Speaker, I conceive——" he stammered out again. Shouts of "Hear! hear!" encouraged him. "I conceive, Mr. Speaker——" he repeated, and then collapsed. A cruel colleague at once rose and remarked that the hon. gentleman had conceived three times and brought forth nothing! O'Flanagan's "Irish Chancellors," vol. ii. p. 8.

RICHARD BRINSLEY SHERIDAN

FROM AN ENGRAVING BY J. HALL AFTER THE PAINTING BY SIR J. REYNOLDS

length with conviction, "and, by God, it shall come out!"[1] It certainly did.

Disraeli, as is well known, was not even listened to, and had to bring his maiden speech to an abrupt end. "The time will come when you *shall* hear me!" he exclaimed prophetically as he resumed his seat. Such treatment was, however, unusual, for though the House of Commons is occasionally, as Pepys called it, a beast not to be understood, so variable and uncertain are its moods, new members are commonly accorded a patient and attentive hearing.

Sometimes a momentary breakdown has been retrieved under the stimulus of encouraging cheers from the House, and an infelicitous beginning has led to an eloquent peroration. Lord Ashley, afterwards Earl of Shaftesbury, had prepared a speech on behalf of the Treason Bill of 1695, which enacted that all persons indicted for high treason should have a copy of the indictment supplied to them and be allowed the assistance of counsel. He was, however, so overcome with nervousness on rising to his feet, that he could not proceed. Wittily recovering himself, "If I, who rise only to give my opinion on the Bill now depending, am so confounded that I am unable to express the least of what I proposed to say," he observed, "what must be the condition of that man who without any assistance is pleading for his life, and is under apprehensions of being deprived of it?" He thus contrived to turn his nervousness to good account. Again, when Steele was brought to the bar for publishing "The Crisis," a young member, Lord Finch, whose sister Steele had defended in the "Guardian" against a libel, rose to make a maiden speech on behalf of his friend. After a few confused sentences the youthful speaker broke down and was unable to proceed. "Strange," he exclaimed, as he sat down in despair, "that I cannot speak for this man, though I could readily fight for him!" This remark elicited so much cheering that the member took heart, rose once more, and made an able speech, which he subsequently followed up with many another.[1]

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[1] Moore's "Life of Sheridan," vol. i. p. 348.

Although early failure is no sure gauge of a politician's reputation or worth, many a happy first speech has raised hopes that remained eternally unfulfilled. In the eighteenth century James Erskine, Lord Grange, made a brilliant maiden effort in the Commons and was much applauded. But the House soon grew weary of his broad Scots accent, and after hearing him patiently three or four times, gradually ceased to listen to him altogether.[2] William Gerard Hamilton, secretary to Lord Halifax (Lord-Lieutenant of Ireland), and afterwards Irish Chancellor of the Exchequer, though not fulfilling Bolingbroke's definition of eloquence,[3] earned the title of "single-speech Hamilton" by one display of oratory which was never repeated.

It is customary for the parliamentary novice to crave the indulgence of the House for such faults of manner or style as may be the result of youth or inexperience. This modest attitude on the part of a speaker inspires his audience favourably; they become infused with a glow of conscious superiority which is most agreeable and inclines them to listen with a kindly ear to the utterances of the budding politician. Not always, however, is this humility expressed. William Cobbett began his maiden speech on January 29, 1833, by remarking that in the short period during which he had sat in the House he had heard a great deal of vain and unprofitable conversation.[4] Hunt, the Preston demagogue, showed his contempt for the Commons and his own self-assurance by speaking six times on six different subjects on the very first night of his introduction.[5] William Cowper, afterwards Lord Chancellor, addressed the House three times on the day he took his seat.

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[1] Forster's "Biographical Essays," vol. ii. p. 195.

[2] Dr. King's "Anecdotes of His Own Time," p. 114.

[3] "Eloquence," said Bolingbroke, "must flow like a stream that is fed by an abundant spring, and not spout forth a little frothy water on some gaudy day and remain dry the rest of the year."

[4] Dalling's "Historical Characters," vol. ii. p. 175.

[5] Barrow's "Mirror of Parliament" (1830).

In the House of Lords, too, can be heard maiden speeches delivered in many varying styles. One perhaps may be made by an ex-Cabinet Minister, a distinguished member of Parliament recently promoted to the Upper House, apologising in abject tones for his lack of experience, and commending his humble efforts to the indulgence of his audience. Another emanates from some youthful nobleman who has just succeeded to a peerage, whose political experience has yet to be won, and who addresses his peers in the didactic fashion of a headmaster lecturing a form of rather unintelligent schoolboys. It is not so very long ago that a young peer—who has since made the acquaintance of most divisions of the Supreme Court, from the Bankruptcy to the Divorce—astonished and entertained his colleagues by closing his peroration with a fervent prayer that God might long spare him to assist in their lordships' deliberations.

There is a golden mean between the two styles, the humble and the haughty, which it is well for the embryo politician to cultivate before he attempts to impress Parliament with his eloquence.

Oratory has been defined in many different ways by many different writers. Lord Chesterfield and Dr. Johnson, respectively, described it as the power of persuading people, or of beating down an adversary's arguments and putting better ones in their place. The business of the orator, according to Sir James Mackintosh, is to state plainly, to reason calmly, to seem transported into vehemence by his feelings, and roused into splendid imagery or description by his subject, but always to return to fact and argument, as that on which alone he is earnestly bent.[1] Gladstone, again, defined oratory as the speaker's power of receiving from his audience in a vapour that which he pours back upon them in a flood.

Oratory is perhaps the gift of the gods, but skill in speaking is undoubtedly an art that can be acquired by practice, if sought diligently and with patience. Demosthenes gloried in the smell of the lamp; Cicero learnt every speech by heart. The former would go down to the seashore on a stormy day, fill his mouth with pebbles, and speak loudly to the ocean, thus accustoming himself to the murmur of popular assemblies; the latter on one occasion rehearsed a speech so diligently that he had little strength left to deliver it on the following day. The sight of a modern politician sitting on the pier at Brighton delivering a marine address as intelligibly as a mouthful of gravel would permit, is one that would only excite feelings of alarm in the bosoms of his friends; the thought of a Cabinet Minister fainting before his looking-glass, as the result of an excessive rehearsal of his peroration, is more pathetic than practical. There is, however, nothing to prevent a member of Parliament from practising his elocution upon the trees of the forest, as Grattan did,[1] or upon the House of Commons itself, and it is thus alone that he will acquire proficiency in that art in which it is so desirable for the statesman to excel. "It is absolutely necessary for you to speak in Parliament," Lord Chesterfield wrote to his long-suffering son. "It requires only a little human attention and no supernatural gifts." [2]

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[1] Sir J. Mackintosh's "Memoirs," vol. ii. p. 192.

Charles James Fox resolved, when young, to speak at least once every night in the House. During five whole sessions he held manfully to this resolution, with the exception of one single evening—an exception which he afterwards regretted. He thus became the most brilliant debater that ever lived, "vehement in his elocution, ardent in his language, prompt in his invention of argument, adroit in its use." [3] He was, however, too impetuous to be as great an orator as his rival Pitt, whose majestic eloquence was almost divine,[1] and offended continually by the tautology of his diction and the constant repetition of his arguments. The hesitation and lack of grace of his delivery detracted greatly from the force of his speeches; the keenness of his sabre, as Walpole said, was blunted by the difficulty with which he drew it from the scabbard.[2] In a comparison of the two statesmen, Flood calls Pitt's speeches "didactic declamations," and those of Fox "argumentative conversations."[3]

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[1] Grattan used to walk about the park at Windsor haranguing the oaks in a loud voice. A passer-by once found him apostrophising an empty gibbet. "How did you get down?" asked the stranger politely. O'Flanagan, "Irish Chancellors," vol. ii. p. 416.

[2] Letters, vol. ii. pp. 328–9.

[3] "Lord Colchester's Diary," vol. i. p. 23.

It was said that it required great mental exertion to follow Fox while he was speaking, but none to remember what he had said; but that it was easy to follow Pitt, but hard to remember what there was in his speech that had pleased one. The difference between the two men was the difference between the orator and the debater. It resulted largely from the fact that the one gave much time to the preparation of his speeches, while the other relied upon the inspiration of the moment. Pitt, as Porson says, carefully considered his sentences before he uttered them; Fox threw himself into the middle of his, "and left it to God Almighty to get him out again."[4] If the former was the more dignified as a speaker, the latter scored by being always so terribly in earnest. Grattan, who affirmed that Pitt's eloquence marked an era in the senate, that it resembled "sometimes the thunder, and sometimes the music, of the spheres," and admitted that Pitt was right nine times for once that Fox was right, declared that that once of Fox was worth all the other nine times of Pitt.[5]

No doubt the Parliament of those days was not so critical a body as it has since become. Lord Chesterfield, at least, held it in the profoundest contempt. "When I first came into the House of Commons," he says, "I respected that assembly as a venerable one; and felt a certain awe upon me; but, upon better acquaintance, that awe soon vanished; and I discovered that, of the five hundred and sixty, not above thirty could understand reason, and that all the rest were *peuple;* that those thirty only required plain common-sense, dressed up in good language; and that all the others only required flowing and harmonious periods, whether they conveyed any meaning or not; having ears to hear, but not sense enough to judge."[1] This scathing indictment of the intelligence of the Commons may possibly have been true at the time when it was written: it would certainly not be applicable to-day. Meaningless periods, however harmonious, are no longer tolerated. In Lord Chesterfield's day, however, sound seems to have been more important than sense, as may be gathered from an account he gives elsewhere of a speech made in 1751 in the House of Lords. He was speaking upon a Bill for the Reform of the Calendar, a subject upon which he knew absolutely nothing. To conceal his ignorance he conceived the idea of giving the House an historical account of calendars generally, from Ancient Egyptian to modern times, being particularly attentive to the choice of his words, to the harmony of his periods, and to his elocution. The peers were enchanted. "They thought I informed," he explains, "because I pleased them; and many of them said that I had made the whole very clear to them, when, God knows, I had not even attempted it."[2]

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[1] "Pitt spoke like ten thousand angels," wrote Richard Grenville to George Grenville in November, 1742 ("Grenville Papers," vol. i. p. 19).

[2] "Memoirs," vol. i. p. 490.

[3] Prior's "Life of Malone," p. 361.

[4] Samuel Roger's "Recollections," p. 80.

[5] "Memoirs of Thomas Moore," vol. iv. p. 215. (Francis Howard compared Pitt's eloquence to Handel's music, see "Memoirs of Francis Howard," vol. i. p. 149.)

The gift of oratory is most certainly heaven-born, but its development demands a vast amount of purely mundane labour. The best speeches have ever been those in the preparation of which the most time and trouble have been expended. Burke's masterpieces were essays, laboriously constructed in the study; Sheridan's elaborate impromptus were carefully devised beforehand, and, if successful, occasionally repeated.[1] Chatham, whose wonderful dominion over the House does not perhaps appear in his speeches, chose his words with the greatest care, and confided to a friend that in order to improve his vocabulary he had read "Bailey's Dictionary" twice through from beginning to end.

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[1] "Letters to his Son," vol. ii. p. 329.

[2] "Letters," ii. 121.

The fervid eloquence of such men as Plunket, Macaulay, Brougham, and Canning—"the last of the rhetoricians"—was the fruit of many an hour of laborious thought and study. Canning especially never spared himself. He would draw up for use in the House a paper, on which were written the heads of the subjects which he intended to touch upon. These heads were numbered, and the numbers sometimes extended to four or five hundred. Lord North, when he lost the thread of his discourse, would look through his notes with the utmost nonchalance, seeking the cue which was to lead him to further flights of eloquence. "It is not on this side of the paper, Mr. Speaker," he would declaim, still speaking in his oratorical tone; "neither is it on the other side!" Then, perhaps, he would suddenly come upon the desired note, and continue his unbroken oration without a sign of further hesitation.[2] Bright used to provide himself with small slips of paper, inscribed with his bon-mots, which he drew from his pocket as occasion required. He excelled, nevertheless, in scathing repartee. Once, during his absence through illness, a noble lord stated publicly that Bright had been afflicted by Providence with a disease of the brain as a punishment for his misuse of his talents. "It may be so," said Bright, on his return to the House, "but in any case it will be some consolation to the friends and family of the noble lord to know that the disease is one which even Providence could not inflict upon him."[3] He did not always get the best of it, however, and when he ridiculed Lord John Manners for the youthful couplet—

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[1] "The hon. gentleman has applied to his imagination for his facts, and to his memory for his wit," is a remark he made in different forms on more than one occasion. See Harford's "Wilberforce," p. 167; Brougham's "Sketches," vol. iii. p. 294, etc.

[2] Stapleton's "Life of Canning," p. 21.

[3] "Men and Manners in Parliament," pp. 56–59.

> "Let wealth and commerce, laws and learning die,
> But leave us still our old nobility!"

the author justly retorted that he would far sooner be the foolish young man who wrote those lines than the malignant old man who quoted them.

That speeches should be as effective when read as when delivered is the highest quality of oratory. For this reason, perhaps, some speakers write out their speeches and commit them to memory. Disraeli did so with his more important orations, a fact which greatly enhances the pleasure of their perusal. Macaulay followed the same practice, and, indeed, it is said that the excessive elaboration of his oratory sometimes weakened its effect. Lord Randolph Churchill's earlier speeches were all memorised in this fashion. But it is not every man whose memory is sufficiently retentive to enable him to accomplish this feat, and a breakdown in the very middle of a humorous anecdote thoughtfully interspersed in a speech is a catastrophe which casts ridicule upon the speaker.[1]

Though matter may be a most important element in parliamentary speaking, manner undoubtedly counts for a good deal. Demosthenes practised declaiming with sharp weapons suspended above him so as to learn to keep still, and, as we have already seen, had some obscure reason for filling his mouth with pebbles. Neither of these practices is to be commended to modern orators, many of whom already speak as though their mouths were filled with hot potatoes, while their habitual gesticulations, if made in the neighbourhood of dependent cutlery, would result in reducing their bodies to one huge wound. Sir Watkin Wynne and his brother were long known in the House of Commons as "Bubble and Squeak," the former's voice being a smothered mumble suggestive of suppressed thunder, the latter's a childish treble. Mannerisms of gesture, as well as of speech, are easily contracted. Lord Mahon, "out-roaring torrents in their course," reinforced his stentorian lungs by violent gestures which were at times a source of bodily danger to his friends. Once, when speaking on a Bill he had brought in for the suppression of smuggling, he declared that this crime must be knocked on the head with one blow. To emphasize his meaning, he dealt the unfortunate Pitt, who was sitting just in front of him, a violent buffet on the head, much to the amusement of the House.[1] The gesticulations of Sir Charles Wetherell, the well-known member, were less dangerous, if quainter. He used to unbutton his braces in a nervous fashion while addressing the House, leaving between his upper and lower garments an interregnum to which Speaker Manners Sutton once alluded as the honourable gentleman's only lucid interval. The late Lord Goschen would grasp himself firmly by the lapel of his coat, as though (to quote a well-known parliamentary writer) "otherwise he might run away and leave matters to explain themselves."[2]

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[1] Mr. R. Tennant, member for Belfast, in 1834, on O'Connell's motion for a repeal of the Union, made a speech which he had learnt by heart and sent to the papers, which lasted three and a half hours. Grant's "Recollections," p. 66.

Parliamentary eloquence to-day makes up in quantity for what it lacks in quality. The number of members who follow the advice of the Psalmist and earn a reputation for wisdom by a continual policy of eloquent silence[3] has dwindled to vanishing point, since to speak in Parliament has come to be regarded as part of a member's duty to his constituents. In Gladstone's first session, in 1833, less than 6000 speeches were made in the House of Commons; fifty years later the number had increased to 21,000; to-day the steadily growing bulk of each volume of the "Parliamentary Debates" testifies to the swelling flood of oratory which is annually let loose within the precincts of Parliament. And if La Rochefoucauld's maxim be true, that we readily pardon those who bore us, but never those whom we bore, the House of Commons has need of a most forgiving spirit to listen patiently to so much of what can only be described as *vox et praeterea nihil.*

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[1] Wraxall's "Memoirs," vol. iii. p. 402.

[2] "Men and Manners in Parliament," p. 109. (Further on the writer describes the peculiarities of another member who used to fold his arms tightly across his chest when he spoke. Thereafter a constant struggle went on, the arms restlessly battling to get free, and the speaker insisting that they should remain and hear the speech out, p. 130.)

[3] "Even a fool, when he holdeth his peace, is counted wise; and he that shutteth his lips is esteemed a man of understanding."

The level of eloquence is, no doubt, higher in the House of Lords than elsewhere. Peers include a greater number of orators among their numbers; opportunities for a display of their talents are more rare; their powers are not dissipated in prolonged debates, as in the Commons, but are reserved for full-dress occasions.

In neither House nowadays is there any exhibition of that old-fashioned rhetoric, florid and flamboyant, which was once so popular. What Mackintosh calls "an elevated kind of after-dinner conversation," such as Lord Salisbury affected so successfully, is the form taken by modern parliamentary eloquence. There are no appeals to sentiment, no quotations from the classics, no bombastic declamations.[1] The House of Commons is still "a mob of gentlemen, the greater part of whom are neither without talent nor information,"[2] and with such an audience learned generalities are out of place. Passion has to a large extent given way to business, and in Parliament to-day are rarely heard those "splendid commonplaces of the first-rate rhetorician," which Lord Morley considers necessary to sway assemblies.

We live in a material age. The flowers of rhetoric bloom no longer in the cold business-like atmosphere of the parliamentary garden; only the more practical but unromantic vegetables remain. The rich embroideries of trope and metaphor have been roughly torn from modern speech, leaving the bare skeleton of reason exposed to the public gaze. The grandiose orator of the past, with his ornate phraseology, his graceful periods, his quotations from the poets, has been ousted by the passionless debater, flinging, like the improvident O'Connell, his brood of robust thoughts into the world, without a rag to cover them. No one to-day would dream of expending fifty shillings—let alone fifty guineas—for the privilege of hearing a modern Sheridan address a twentieth-century Parliament; no modern Grattan (as Sheil might say) shatters the pinnacles of this establishment with the lightning of his eloquence.

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[1] "Don't quote Latin. Say what you have to say and then sit down!" was the Duke of Wellington's excellent advice to a young member. Walter Bagehot, on the other hand, stated that he had heard an experienced financier say, "If you want to raise a certain cheer in the House of Commons, make a general panegyric on economy; if you want to invite a sure defeat, propose a particular saving!" "The English Constitution," p. 136.

[2] Dalling's "Historical Characters," vol. ii. p. 39.

The successful parliamentary speaker is no longer one who is able, in the words of Macaulay, to produce with rapidity a series of stirring but transitory impressions, to excite the minds of five hundred gentlemen at midnight, without saying anything that any of them will remember in the morning.[1] Rather is he the cold judicious politician who chooses his words less for their beauty than for their immunity from subsequent perversion, who can crystallise in a few brief sentences, within the compass of a few minutes, the opinions that it would have taken his ancestors as many hours to express in the turgid rhetoric of a bygone age. The orator—as the name was once understood—is now a *rara avis*, but seldom raising his tuneful voice above the raucous cawing of his fellows. And whoever feels with Gibbon that the great speakers fill him with despair, and the bad ones with terror, will leave the precincts of Parliament to-day more often terrorstricken than desperate. That this should be so is no reason for giving way to gloom or sorrow. Parliamentary eloquence is not necessarily the sign of a country's greatness. The English Parliament, which began by acclaiming Burke as the prince of orators, soon became indifferent to his powers, and ended by labelling him the "Dinner Bell." Fox has left no memorial of any good wrought by his oratory. "Neither the Habeas Corpus Act, nor the Bill of Rights, nor Magna Charta originated in eloquence," and if it be true that "a senate of orators is a symptom of material decay,"[1] we may look forward to the future of England with calm and perfect confidence.

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[1] "Essays," vol. ii. p. 206.

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[1] Sir H. Crabb Robinson's "Diary, Reminiscences and Correspondence," vol. i. p. 330.

CHAPTER XIII

PARLIAMENT AT WORK—(1)

IN their efforts to grapple successfully with the ever-increasing mass of business brought before them, modern Parliaments show a tendency to prolong their labours to an ever-increasing extent. Each succeeding session lengthens, as Macaulay said, "like a human hair in the mouth."

In Tudor times the statutes to be passed were few in number, and the time occupied in legislation was consequently short. Members returned by "rotten" boroughs had no temptation to be prolix; their seats did not depend upon their parliamentary exertions, and their speeches were therefore commendably brief. Parliament to-day is often censured for the sterility of its legislative output, but during the seventeenth and eighteenth centuries legislation in the modern sense of the word scarcely existed at all. Its time was chiefly spent in the discussion of libellous books and in disputes over constitutional questions of privilege.

October and November were the months fixed for the meeting of Parliament in Hanoverian times, and the prorogation usually took place in April. From 1805 to 1820 it met after Christmas. Since 1820 February has been the month generally chosen. Nowadays, not only have the sessions grown much longer—even the feast of St. Grouse on the 12th of August is no longer observed by politicians—but the hours of each sitting have been considerably extended. The session of 1847 was prolonged over 293 days; the Parliament of 1852 met on November 4 and sat until August 20 of the following year, and during the last two months of that session the House of Commons continued sitting for fifteen out of every twenty-four hours. In 1908, which contained two sessions, the House sat for 253 days, and the session of 1909 lasted from February 16 till December 3, during the latter weeks of which all-night sittings were of the commonest occurrence.

In proportion as the daily labours of the Legislature increased the hour for commencing work became later and later. In Charles I.'s time Parliament often met as early as 7 a.m., and would sit until twelve, the afternoon being devoted to the work of the committees.[1] Later on the hour of meeting was fixed for 8 or 9 a.m., and the House usually rose at 4 p.m., or earlier. The Commons always showed the strongest disinclination to sit in the afternoon, either because the midday meal did not leave them in a fit condition to legislate, or because no regular provision was made for lighting the House when twilight fell. "This council is a grave council and sober," said a member in 1659, and "ought not to do things in the dark," and the Speaker would occasionally regard his inability to distinguish one member from another as a sufficient excuse for adjourning the House.[2] The practice of sitting regularly after dark did not commence until the year 1717, when, by an order of the House, the Sergeant-at-Arms was directed to bring in candles as soon as daylight failed. Prior to that year the employment of artificial light had to be made the subject of a special motion, and Sergeants were sometimes reprimanded for providing candles without the necessary order.

During the eighteenth and nineteenth centuries the hours of sitting varied from time to time. Up to 1888 the House of Commons sat from 10 a.m. until 3.45 p.m. In that year the time for meeting was fixed at 3 p.m. and this was subsequently postponed for an hour.

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[1] On Sunday, August 8, 1641, both Houses attended divine service at St. Margaret's Church at 6 a.m., after which they sat in the House all the morning, and in the afternoon the King met them in the banqueting room at Whitehall. "Duirnall Occurrences," p. 80.

[2] Forster's "Grand Remonstrance," p. 342.

Saturday and Sunday have long been recognised as regular parliamentary holidays, and on one other day in the week—either a Wednesday or Friday—the House of Commons has adjourned at an earlier hour than usual. This, however, was not always the case. In Stuart times Parliament sometimes sat on Sunday and even on Christmas Day,[1] and it was on a Sunday—December 18, 1831—that the Reform Bill was read a second time. This, however, was an exceptional instance, the adjournment over Saturday having been initiated by Sir Robert Walpole, who, as a keen sportsman, was always anxious to get away to the country, and believed that, as Dryden says, it were:

> "Better to hunt in fields for health unbought,
> Than fee the doctor for his noxious draught."

In more recent times it became the fashion to adjourn the House on Derby Day, in order to allow legislators to take part in the sport of kings. In 1872, this adjournment was made the subject of a heated debate, and though the division that ensued resulted in a large majority for the holiday-makers, the claims of sport gradually gave way to the more pressing demands of business, and ten years later, when the Prevention of Crimes (Ireland) Act was under discussion, the matter was considered too serious to allow of the usual Derby Day adjournment. The late Sir Wilfrid Lawson once cynically argued that if the Derby Day became a recognised official holiday the Speaker of the House of Commons ought to go to Epsom in his State-coach, "as he did at the thanksgiving for the Prince of Wales's recovery." The game of politics is nowadays treated more gravely than ever, and the most frivolous of modern politicians would scarcely dream of suggesting that the stern business of Westminster should be deserted for the pleasures of Epsom Downs. The House of Lords has always, until a year or two ago, adjourned over Ash Wednesday and Ascension Day, on the ground that if they met they would be taken to Church at the Abbey; but lately they have braved this terror and nothing so serious has happened.

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[1] Elsynge's "Ancient Method of Holding Parliaments," pp. 114–115.

Prior to 1882 the House of Lords met at five o'clock in the afternoon; they now meet three-quarters of an hour earlier.[1] Except under circumstances of special pressure they take holidays on Friday and Saturday, and Sunday is, of course, for them, as for everybody else, a day of complete rest. Occasionally on other days the amount of work to be undertaken in the Upper House is so small as to be accomplished in a few minutes. The Lords, as has been irreverently observed, often sit scarcely long enough to boil an egg, and it is only towards the end of the session that they are compelled to extend their deliberations beyond the dinner-hour.[2]

The labours of the Commons are more arduous, and entail longer hours of sitting. On Monday, Tuesday, Wednesday, and Thursday the House meets at 2.45 p.m. and continues sitting until 11 p.m., unless the day's business has been disposed of before that hour. At eleven o'clock the Speaker interrupts business, after which no opposed matter can be dealt with, but, by a Standing Order, it is permissible for a Minister of the Crown, at the commencement of the day's work, to move the suspension of the eleven o'clock rule. In this case no interruption takes place until the business under discussion is finished.

All-night sittings are not uncommon nowadays, but in former times they occurred but rarely. In 1742, the Speaker once sat in the Chair for seventeen hours at a stretch, and some fifty years later we find the Commons keeping an occasional all-night vigil. Sir Samuel Romilly left the House one evening to go to bed, and returned the next morning to find his colleagues still sitting. He began his speech by saying that he made no apology for rising to address the House at such a time, as seven o'clock was his usual hour for "getting up."[1] In 1877, the Commons sat for a day and night, and again in 1881, the sitting on the latter occasion lasting forty-one hours; and since that day many sittings have been prolonged over the twenty-four hours. In 1909, the House sat after 1 a.m. o'clock on no less than thirty-seven occasions, after 4 a.m. on ten occasions, and once as late as nine o'clock in the morning.

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[1] The judicial sittings of the House begin at 10.30 a.m.

[2] The proceedings very often resemble those of the old Irish House of Lords, which we find recorded in the Journals as "Prayers. Ordered, that the Judges be covered. Adjourned." See Charlemont's "Memoirs," vol. i. p. 103.

Friday is, so to speak, a half-holiday for the Commons. On that day the House meets at noon, the interruption of business occurs at five o'clock, and, no matter what subject is under discussion, the House adjourns at 5.30 p.m. Before 1902, Wednesday was the day chosen for the short sitting, but the desire of many members to escape from London at the end of the week led to a change, and it is now possible for representatives from the most distant parts of England to pay flying weekly visits to their homes or constituencies.

For a few years recently the House of Commons always enjoyed an evening interval for dinner, but this agreeable adjournment was reluctantly sacrificed in 1906, and the "Speaker's chop" is now nothing but a fragrant memory. The dinner-hour is much too precious to be wasted at any table other than that of the House, for at 8.15 on many days any private business not disposed of at the beginning of the sitting is given precedence of all else, and what is known as "opposed" private business is also taken between that hour and 9.30 p.m.[2]

For the information of members a daily "notice paper" is published in two editions—a blue edition in the morning, and a white one in the early afternoon—containing the orders of the day and all notices of motions. To this is attached the "votes and proceedings," division lists, and an account of the business accomplished at the last sitting. In the "order book" of the House, also published daily, is a list of all future business definitely assigned to any particular sitting; while once a week a catalogue of all Public Bills that have been introduced, and some report of their progress, is also included.

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[1] Palgrave's "House of Commons," p. 45.

[2] The fact of any single member taking objection to a motion is sufficient to include it among "opposed" business, and in an assembly of partisans it would be too much to expect that any private member's Bill should avoid giving grounds of objection to at least one opponent.

By no means the least arduous of the many labours of Parliament are those which are undertaken by legislators serving upon the various Committees, of which the public knows so little, but whose work is very necessary to the carrying on of public business.

The appointment of Select Committees in both Houses has been practised ever since the earliest days of Parliament. The duties of these subsidiary bodies, which may be appointed for any purpose, are prescribed by the terms of the reference: they may collect facts for future legislation, investigate conduct, or examine the terms of a Bill referred to them, thus saving the time of the House. To them go all opposed Private Bills, when counsel appear to argue the merits of clashing interests.

The system of Committees perhaps originated in the conferences held in former times by the two Houses in the Painted Chamber. There are records of small deliberative bodies, somewhat similar in character to the modern Committees, in the middle of the sixteenth century. By the time Queen Elizabeth came to the throne such Committees were common, and were usually composed of members of one or other House. Select Committees did not exist until the eighteenth century, and were originally semi-judicial in character.

All members of the House of Commons are subject to be called upon to serve on Select Committees, being chosen for the purpose by a Committee of Selection, and the work thus done outside the actual Chamber adds considerably to the daily labours of politicians. No member may refuse to serve, if called upon to do so, and when, in 1846, Mr. Smith O'Brien declined to sit on an English Railway Committee, he was confined in the Clock Tower in the custody of the Sergeant-at-Arms.

The whole House can also resolve itself at any time into a Committee, when its function becomes one of "deliberation rather than inquiry."[1] Every Public Bill not referred to a Grand Committee must be considered in a Committee of the Whole House, and, indeed, the greater part of each session is occupied by this stage of legislation. The Committee of Supply and the Committee of Ways and Means are both "Committees of the Whole House," and are appointed to discuss the financial projects of the Government, the one to supervise expenditure, the other to devise taxation.

A Committee of the Whole House differs in no respect from the House itself, save that it is presided over by a chairman in place of the Speaker, and that the mace is removed from the Table. There are also some changes in the procedure of debate, as, for example, the cancelling of the rule forbidding a member to speak twice on the same question.

The idea of forming the House itself into a committee has developed, like so many parliamentary institutions, gradually and almost unconsciously. In days when the Speaker was too often the spy of the King it was considered advisable to get rid of him, and this could best be done by turning the House into a Committee and putting some other member in the Chair.

The Chairman of Committees in the Lords, and the Chairman of Ways and Means, or his deputy, in the Commons, takes the Chair when the House is in Committee, but it is permissible for either House to nominate any one of their number as a temporary Chairman.[2]

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[1] May, p. 430.

[2] In 1641, during the Long Parliament, Hyde was appointed Chairman of Committees, so as to get him out of the way, that he might not obstruct business by too much speaking. Parry's "Parliaments of England," p. 354.

As a substitute for Committees of the Whole House in the Commons, two large Standing Committees, sometimes called Grand Committees, numbering from sixty to eighty members, are appointed to consider respectively all Bills relating to Law and Trade committed to them by the House. Besides the smaller committees already referred to there are Sessional Committees, appointed for each session, consisting of from eight to twelve members—as, for instance, the committee on Public Accounts, which meets once a week to look into the department of the Auditor-General—which control the internal arrangements of the House; and joint Committees of the two Houses, which discuss matters in which both are interested.

In the Lords also Standing Committees were instituted in 1889, but these were to supplement and not supersede the Whole House Committee stage, and after an experience of more than twenty years have proved their insufficient utility, they were abolished on June 24, 1910.

In the sixteenth century committees generally met outside the House, in the Star Chamber, in Lincoln's Inn, or elsewhere, but they have not done so for many years, numerous committee-rooms being nowadays provided within the precincts of the House.

At the commencement of every session the House of Lords elects a Chairman of Committees from among its own members. His duty it is to preside over Committees of the Whole House, or over Select Committees on whom the power of appointing their own Chairman is not expressly conferred. He is a salaried official of Parliament, and receives a sum of £2500 a year for his services. Similar duties are undertaken in the House of Commons by a Chairman of Committees and a Deputy Chairman, at salaries of £2500 and £1000 respectively.

The Crown usually appoints by commission one or more Lords to supply the place of Lord Chancellor, should that official be unavoidably absent. On emergency it may be moved that any lord present may be appointed temporarily to sit Speaker. In the House of Commons the Chairman of Ways and Means and the Deputy Chairman are similarly empowered to replace the Speaker when absent.

The problem of providing a substitute for the Speaker was not settled until 1855, prior to which date no steps seem to have been taken to fill the Chair in the event of a Speaker's sudden illness or absence. It appears to have been considered inadvisable to frame any scheme of relief which should facilitate his frequent absence. It was, further, the general sense of the House that no temporary president could command that implicit acquiescence in the rulings of the Chair which is so necessary for the maintenance of order in debate.

To the Chairman of Committees, whom one would regard as a natural substitute for the Speaker, the House has never been willing to accord the complete consideration to which the Chair is entitled ; the fact that he is liable at any moment to sink again into the body of the House robs this official of much of his authority. In the reign of James I. we find a Chairman complaining that some member had threatened to "pull him out of the Chair, that he should put no more tricks upon the House." And in 1810 another member, Fuller by name, who had lost the Chairman's eye and his own temper, called that official a "d—— insignificant puppy," and said that he didn't care a snap of the fingers for him or for the House either.[1]

The question of replacing the Speaker has, therefore, always been a delicate one, and for many years no attempt was made to solve it. In 1656, owing to the illness of Sir Thomas Widdrington, another member occupied the Chair for a period of a few weeks, and, during the next few years, several Speakers complained of ill-health and were temporarily relieved. From 1547, when the Journals commence, to 1660, the Speaker was only absent on twelve occasions, and during the next hundred years the records of the House show only six cases of absence. The inconvenience caused by the rule which necessitated an adjournment on such occasions—curiously few in number though they were—can readily be imagined. On the death of Queen Anne, in 1714, the whole proceedings of Parliament were delayed, and the sittings postponed from day to day owing to the Speaker being away in the country and taking a long time to travel to London. The duty of being ever in his place at times involved great hardships. Addington was obliged to take the Chair three days after the death of his father, persevering by a painful effort in this stern adherence to the path of duty.[1]

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[1] Lytton's "Life of Palmerston," vol. i. p. 115.

In the year 1640, a prolonged session was the cause of many members absenting themselves from their places in the House of Commons. In order to ensure a more general attendance it was then determined that the Speaker should not take the Chair unless there were at least forty members present in the House. This rule still holds good, and to-day, if a quorum of forty is not obtainable before four o'clock, the sitting is suspended until that hour. Should the same difficulty arise after four o'clock, the House is adjourned until the next sitting day.[2] An exception is made in favour of the hour between 8.15 and 9.15, but if a division be taken during that hour in the absence of a quorum, the business in debate must be postponed and the next business brought on. When, too, a message from the Crown is delivered, the House of Commons is held to be "made" even though forty members are not present. On such an occasion the business of the day can be proceeded with so long as no notice is taken of the absence of a quorum.

It is not the Speaker's (or Chairman's) duty to notice the absence of a quorum, but if his attention is drawn to it by a member he must at once rise in his place and proceed to count the House. There is a well-known story of a prolix member speaking to empty benches in the Commons who referred sarcastically to the packed audience hanging upon his words, and was interrupted by the Speaker, who at once proceeded to "count out" the House, and put an end to the sitting as well as to the member's oration. The Speaker's inability to count the House out of his own accord has occasionally given rise to inconvenient situations. Lord George Gordon once rose and requested permission to read from a book, which was granted. He then proceeded to read the Bible until the House dwindled from upwards of four hundred members to two, namely, the Speaker and Lord George himself, who had the indecency to keep the former in the Chair till the candles were "fairly in the socket."[1]

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[1] Pellew's "Life of Sidmouth," vol. i. p. 76.

[2] The right of "counting out" the House was not exercised until 1729. On May 19, 1876, the Commons failed to "make the House" for the first time since April 4, 1865. See Irving's "Annals of Our Time," vol. ii. p. 197.

In the House of Lords three peers form a quorum. If, however, thirty lords are not present on a division upon any stage of a Bill, the question is declared to be not decided, and the debate is adjourned until the next sitting. Lord Rosebery, in 1884, recalled an occasion when a noble lord, Lord Leitrim, addressed a quorum of the House, consisting, besides himself, of the Lord Chancellor and the Minister whose duty it was to answer him, for four mortal hours. Another instance of the same kind is supposed to have occurred when Lord Lyndhurst was on the Woolsack and a noble lord spoke at considerable length to an audience of even smaller proportions. After a time the Chancellor became very weary and could scarcely conceal his impatience. "This is too bad," he said at length, "can't you stop?" Still, the peer prosed on, showing no sign of reaching his peroration. Finally, Lyndhurst could stand it no longer. "By Jove," he cried, suddenly inspired with a brilliant idea, "I will count you out!" As he and the speaker only were present in the House at the time, the Chancellor was able to do this, and the long-winded nobleman was effectually silenced.

In early times the daily sittings of Parliament were preceded by Mass held in St. Stephen's Chapel. Later on it became the custom for the lords to repair to the Abbey, and the Commons to St. Margaret's Church, for a brief morning service. In the Parliaments of Queen Elizabeth the Litany was read daily, and a short prayer offered up by the Speaker at the meeting of the House. Prior to 1563, no regular daily prayers were held, but on the first five days of any Parliament "an archbishop, bishop or famous clerk, discrete and eloquent," preached to the House.[1] This practice long continued, and we read of "Dr. Burgesse and Master Marshal," preaching to Parliament on a fast day in the year 1640 for "at least seven hours betwixt them"[2]—an occasion when their eloquence seems to have outrun their discretion.

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[1] Pearson's "Political Dictionary," pp. 23–4.

Nineteen years later Richard Cromwell appointed the first regular chaplain to relieve the Speaker and the discreet and eloquent prelates and clerks of their duties. This official enjoyed no fixed emoluments, but was upheld and nourished by the consciousness of duty nobly done and the hope of subsequent preferment. His counterpart to-day is appointed by the Speaker and paid by the House, and his duties consist in reading the three brief prayers with which each daily session of the House commences.[3] In the Lords this task is undertaken by the bishops in rotation.

When prayers are over in the Lower House any "private business" that has to be taken is called on, and Private Bills pass through the initiatory stages of their career. The procedure in this case is, as a rule, purely formal, and lasts but a short time.

The dispatch of private business is immediately followed by the oral presentation of petitions by those members who have informed the Speaker of their intention to do so.

In these days of open courts of justice, a free Press, and wholesale publicity the need for petitions is not so great as it was in times when the voice of the people could not always obtain a hearing. To-day the papers are only too ready to lend their columns to the airing of any grievance, real or imaginary, and politicians are not unwilling to make party capital out of any individual instances of apparent injustice or oppression that may be brought to their notice.

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[1] "The Manner of Holding Parliaments Prior to the Reign of Queen Elizabeth." "Somers Tract," p. 12.

[2] "Diurnall Occurrences," p. 8.

[3] In 1909, during the temporary absence of the Chaplain, the Speaker read prayers himself.

A hundred years ago all petitions were read to the House by the members presenting them, and lengthy discussions often ensued. Much waste of time resulted from this practice, and the frequent arrival at Westminster of large bodies of petitioners caused great inconvenience, and sometimes led to rioting. In 1641, a huge crowd of women completely blocked the entrance of the House. They were led by a certain Mrs. Anne Stagg, "a gentlewoman and brewer's wife," and their object was to present a petition directed against the Popish bishops.[1] The Sergeant of the Parliamentary Guard appealed to the House for advice as to how he should treat these women, and was told to speak them fair and send them away. This he accordingly proceeded to do, but not without much difficulty.

Two years later three thousand other "mean women," wearing white ribbons in their hats, arrived at Westminster with another petition. "Peace! Peace!" they cried, in a manner which was little calculated to gain that which they were seeking. "Give us those traitors that are against peace, that we may tear them to pieces! Give us that dog Pym!" The conduct of these viragoes at length became so unruly that the trained bands were sent for, and the order was eventually given to fire upon the mob. "When the gentle sex can so flagrantly renounce their character, and make such formidable attacks on the men," says a contemporary historian, "they certainly forfeit the polite treatment due to them as women"—and in this case their forgetfulness cost them the loss of several lives.[1]

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[1] "Parl. Hist." ii. 1072. Butler refers to them in "Hudibras":

> "The oyster women lock'd their fish up,
> And trudg'd away to cry 'No Bishop!'"

To-day, under the provisions of the One Mile Act of George III.—the result of an attack made upon the Regent on his way from the opening of Parliament in 1817—no assembly of petitioners or public meeting is allowed within a mile of the Palace of Westminster. Petitions themselves are treated in a summary manner which permits of little time being wasted. No debate is permitted upon the subjects raised by petitions, and the formal method of presentation has given place to a more satisfactory (if somewhat perfunctory) fashion of dealing with them.

Behind the Speaker's Chair hangs a large bag. In this a petition may be placed, at any time during a sitting, by the member in charge of it. Thence it is sent to the Committee on Public Petitions, and presumably never heard of again. Petitions sometimes contain so many signatures, and are consequently so bulky, that no earthly bag could possibly contain them. In 1890, for instance, a petition eight miles in length, in favour of the Local Taxation Bill, was presented to Parliament, and in 1908 another, almost as voluminous, provided a material protest against the Licensing Bill. Petitions of such proportions are carried into the House on the shoulders of stout officials, and, after reposing for a brief space upon the floor, are presently borne away to be no more seen or remembered.

When petitions have been disposed of, motions for unopposed returns are taken, and other formal business; and then follows question-time, perhaps one of the most important hours of the parliamentary day, when a hitherto languid House begins to take some interest in the proceedings.

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[1] Noorthouck's "A New History of London," p. 180. Scenes of a similar character occurred in the reign of George III., when the Gordon rioters stormed the Houses of Parliament, shouting "No Popery!" In 1871, a mob of matchmakers marched to Westminster to protest against a tax on matches, and were dispersed by the police. In still more recent times female deputations in favour of Woman's Suffrage, accompanied by a mob of inquisitive sightseers and a section of the criminal classes, have besieged the Palace of Westminster in a vain attempt to gain admittance to the House of Commons.

Politicians would appear to be among the most inquisitive individuals on the face of the globe; their thirst for general information is as insatiable as it is amazing. The time spent by various Government officials in pandering to this craving for knowledge on the part of legislators is very considerable: it has even been hinted that the clerks at the Irish Office are employed exclusively upon the task of answering conundrums set by members of the House of Commons. Nothing is too insignificant, no matter is too sacred, to be made the subject of a question in the House. But, although any member has a perfect right to apply for a return, or to ask any question he pleases, within certain bounds, a Minister of the Crown may always refuse to supply the return, or decline to answer the question; nor need he give any reason for so doing. This rule provides a loophole for a Minister who is confronted with an awkward question to which it would need the powers of subtlety and casuistry of a Gladstone to find a non-committal reply.[1]

A member of Lord Aberdeen's Ministry in 1854 was attacked for not rendering a certain return that had been applied for. He made no comment at the time, but on a subsequent occasion produced and laid on the Table of the House a huge folio volume weighing 1388 lbs. and containing seventy-two reams of foolscap. The compilation of this return, as he informed the House, had caused the dispatch of 34,500 circular letters and the cataloguing and tabulating of 34,500 replies. The result of the figures mentioned therein had not been arrived at, the Minister went on to explain, as it would have taken two clerks a whole year to add them up Further, he added, the return, if completed, would afford no information beyond that which the House already possessed.[2]

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[1] When during Garibaldi's visit to London, some one suggested that he should marry a wealthy widow with whom he spent much of his time it was objected that he already had a wife living. "Never mind," said a wag, "we will get Gladstone to explain her away!"

[2] Palgrave's "House of Commons," p. 41.

Ever since 1902, a written instead of an oral reply can be rendered to all questions that are not marked with an asterisk by the member who asks them. No questions may be asked after a certain hour, and the answers to those that have not been reached at that hour, as well as to those that are not marked with an asterisk, are printed and circulated, thus saving a great deal of valuable time.

Questions must be brief and relevant. No member may ask an excessive or unreasonable number, nor may he couch them in lengthy terms. They may not be framed argumentatively nor contain personal charges against individuals. The Speaker is empowered to disallow any question if he thinks fit, and often interposes to check supplementary questions which are not relevant, or which constitute an abuse of the right to interrogate Ministers; and the latter are always at liberty to refuse an answer on the grounds that a reply would be contrary to the public interest. Whenever our relations with foreign Powers are in any way strained, certain members seem to take a delight in asking questions calculated to hamper the movements of the Foreign Office, or to provide other nations with all the secret information they desire. And it is not always expedient or easy for Ministers to refuse to satisfy the thirst for knowledge of their friends or opponents, or to try and choke off the inquisitive or importunate with evasive answers. It was always said that "Darby Griffith destroyed Lord Palmerston's first Government," by asking perpetual questions which the Premier answered with a "cheerful impertinence which hurt his parliamentary power."[1] And the amount of patience and tact displayed by modern Ministers in replying to frivolous or petty queries is always a subject of admiration to the stranger.

Members no doubt feel it their duty to provide their constituencies with some material evidence of their parliamentary labours, and no easier method can be imagined than the asking of questions on subjects in which they possibly take not the slightest interest. Some politicians openly confess that their secretaries have orders to make out a regular weekly list of conundrums which they can hurl at the heads of unoffending Ministers, with no other purpose than that of showing their constituents that they are taking an active interest in the affairs of the nation. The criticism made by a parliamentary writer fifty years ago is equally applicable to-day. "It would seem to be the chief amusement of some members diligently to read the newspapers in the morning, and to ask Ministers of State in the afternoon if they have read them too, and what they think of them."[1]

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[1] Bagehot's "English Constitution," p. 181.

The growth of this yearning for information is very clearly shown by a glance at the parliamentary statistics for the last hundred years. In 1800 not a single question was put during the whole of one session. In 1846 the number of questions asked with due notice was sixty-nine. In 1850 the number had risen to 212, in 1888 to 5000; in 1901 over 7000 questions were put, and to-day the number is still steadily increasing.

At four o'clock, or earlier if questions have been disposed of, the House proceeds to the consideration of its public business and the "orders of the day," and the real business of Parliament begins.

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[1] "Edinburgh Review," January, 1854, p. 254.

CHAPTER XIV

PARLIAMENT AT WORK (II)

THE modern system of legislating by Bill and Statute dates from the reign of Henry VI. In earlier days legislation was effected by means of humble petitions presented to the Crown by the Commons, and granted or refused according as the King thought fit.

Every Act of Parliament commences its existence in the shape of a Bill. As such, it may be introduced in either House, though the Commons have the undoubted monopoly of initiating financial measures, and Bills for the restitution of honours and blood must originate with the Lords. In the Upper House, any peer may introduce a Bill without notice, but in the Commons a member must give notice of his intention either to present a measure or move for leave to do so. A Bill whose main object is to impose a charge upon the public revenue must first be authorized by a resolution of a Committee of the Whole House.

Bills may be roughly classified under the two headings of Public and Private, according as they affect the general interest or are framed for the benefit of individuals or groups of individuals, though there also exist hybrid Bills which cannot be rightly placed in either category. But whatever their nature, Bills must pass through five successive stages. In the House of Lords, however, the Committee and Report stages are occasionally negatived in the case of Money Bills, and the Committee stage of Private Bills is conducted outside the House either before the Chairman of Committees or, in case of opposition, by a Select Committee of the House.

In ancient days the proceedings were not so lengthy as they afterwards became, a Bill being sometimes read three times and passed in a single day;[1] but nowadays the passage through Parliament of a Controversial Bill is a tedious affair.

It will be sufficient for the purposes of this chapter to take the example of a Public Bill introduced in the House of Commons, and follow it from its embryonic state along the course of its career until, as an Act of Parliament, it finally takes its place in the statute-book of the land.

By obtaining the permission of the House, a Member of Parliament may bring in a Bill upon any conceivable subject, but it is not always possible for him to find the necessary opportunity for doing so, unless he happens to be exceptionally favoured by fortune.[2] In these days, when the time at the disposal of Parliament is altogether inadequate to the demands made upon it by legislation, the chances of passing a Bill without the support of the Government are for a private member extremely small. Even with official assistance this is not always an easy matter. It is perhaps as well that the passion for legislation latent in the bosom of every politician should to some extent be curbed. George II. said to Lord Waldegrave that Parliament passed nearly a hundred laws every session, which seemed made for no other purpose than to afford people the pleasure of breaking them, and his opinion that the less legislation effected by Parliament the better for the country is still popular in many quarters.[3]

On the third day of every session the question of the priority of members' claims to introduce Bills and motions is decided by ballot.

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[1] Hakewell's "Modus Tenendi Parliamentum," p. 142.

[2] Bills of the most fantastic kind are from time to time introduced, though they seldom see the light of a Second Reading. In 1597 a member, Walgrave by name, brought in a Bill to prevent the exportation of herrings to Leghorn, "which occasioneth both a very great scarcity of Herrings within the Realm and is a great means of spending much Butter and Cheese, to the great inhancing of the prices thereof by reason of the said scarcity of Herrings."—D'Ewes' "Journal," p. 562.

[3] Lord Waldegrave's "Memoirs," p. 133.

A member who is lucky, and has, if necessary, obtained the leave of the House, can introduce his Bill briefly and without debate. Taking his stand at the bar, he awaits the summons of the Speaker, when, advancing to the Table, he hands to the Clerk a "dummy" on which the title of the Bill is written. This the Clerk proceeds to read to the House. The Bill is then considered to have been read a first time, and ordered to be printed, and a day is fixed for the Second Reading.

The First Reading is looked upon as a mere matter of form, and rarely opposed.[1] It is on the Second Reading, when the principle of the Bill is by way of being discussed, that any real antagonism begins to make itself felt. Opponents may negative the motion that the Bill be *now* read a second time—in which case the motion may be repeated another day—or may adopt the more usual and polite method of moving that the Bill be read "this day six (or three) months"—the intention being to destroy the Bill by postponing the Second Reading until after the prorogation of Parliament. No Bill or motion on which the House has given such a decision may be brought up again during the same session, so that a postponement of the reading is merely a courteous way of shelving it altogether.[2]

A Bill that has successfully weathered a Second Reading stands committed to a Committee of the Whole House, unless the House, on motion, resolves that it be referred to some other kind of Committee, viz., a Grand Committee, a Select Committee, or a Joint Committee of both Houses.

When the House is to resolve itself into Committee a motion to that effect is made in the Lords, to which an amendment may be moved; in the Commons the Speaker leaves the chair, and the Chairman of Committees at once presides, sitting in the Clerk's chair at the Table. The Bill is then discussed clause by clause, and any number of amendments may be proposed to each line, and any number of speeches made by any member on each amendment. No limit is set to the number of amendments that may be moved, provided they are relevant and consistent with the policy of the Bill. This is therefore by far the most lengthy stage of the Bill, and it was in order to accelerate the progress of business that, in 1883, Standing Committees, consisting of from sixty to eighty members, were created to which Bills relating to Law and Trade were to be referred instead of to the Committee of the Whole House.

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[1] In June, 1835, however, a Mr. Fox Maule was refused permission to bring in a Bill "for the better protection of tenants' crops in Scotland from the ravages committed on them by several kinds of game."—Grant's "Recollections," p. 38.

[2] Our ancestors were not always so well-mannered in their methods. Once when a Bill had been returned to them from the Lords with an amendment to a money clause, they expressed their active disapproval by literally kicking it along the floor of the House, and so out at the door. "Parl. Hist.," vol. xvii. p. 515.

When the Bill has passed through the Committee stage, it is reported to the House with or without amendments. In the former case, a day is fixed for the discussion of its altered shape, and on this "Report" stage further amendments may be made. At the Third Reading a Bill may still be rejected, or postponed "for six months," or re-committed, but in the Commons no material amendments may be made to it. This stage is usually taken at once after the Report; but in the Lords the two stages must be on different days, and amendments may be made after due notice on the Third Reading.

When a Bill has safely passed all its stages in the Lower House, the Clerk of the Commons attaches to it a polite message in Norman-French—"soit baillé aux seigneurs"—and hands it to his colleague in the Lords. The latter lays it on the Table of the Upper House, where it lies until taken up by some peer—which must be done within twelve sitting days, if the Bill is not to be lost (though it may be raised from the dead by notice of a motion to revive it of the same duration)—when its subsequent treatment, with the few differences noted above, is very similar to that which it has already undergone.

Should the Lords pass a Bill as it stands, a message to that effect is sent to the Commons. If, however, they have made alterations, the Clerk of the Parliaments writes, "A ceste bille avesque des amendemens les seignieurs sont assentus" across it, and returns it to the Clerk of the other House.[1] The Commons then proceed to consider the Lords' amendments on some future day. If the two Houses cannot agree, they must either summon a Conference—nowadays an unusual step to take[2]—or a Select Committee of the dissenting House sends a specially prepared message to the other Chamber, explaining the reasons for its disagreement. Numerous messages may pass in this way, for the purpose of coming to an agreement; but if they fail, the Bill is lost for the Session.

When a Bill has passed both Houses, nothing remains but to give it the Royal Assent, which is done by the Clerk of the Parliaments.[3]

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[1] It may be observed that among the many traditionary differences of opinion entertained by the two Houses is a divergence as to the proper spelling of the word "seigneurs."

[2] A Conference of both Houses has not been held since 1836.

[3] The Clerkship of the Parliaments is an ancient office, dating from the commencement of the fourteenth century. It was originally held by an ecclesiastic, to whom were assigned, in times when the two Houses sat together, the clerical work of Parliament. The Clerk of the Parliaments is appointed by the Crown under Letters Patent, and can only be removed by the Crown on an address from the House of Lords. Up to the year 1855, the post was a lucrative sinecure, worth about £7000 a year, the actual duties of the office being performed by the Clerk Assistant. At the beginning of the nineteenth century, the Clerk of the Parliaments enjoyed the privilege of nominating and appointing all the clerks on the House of Lords establishment, but in 1824 the appointment of the two other Clerks at the Table was transferred to the Lord Chancellor. He still, however, appoints all the other clerks, regulates and controls the duties and promotion of the staff, appoints the Librarian and his assistant, and exercises superintendence over the Library and the Refreshment Department of the House. It is his duty to attend all the sittings of the House, to call on the Orders of the Day, and to invite peers to bring forward their Bills or Motions. He also performs functions analogous to those of the Speaker in the Commons, when he signs Addresses to the sovereign, other Addresses of thanks or condolence, the

THE PASSING OF THE REFORM BILL IN THE HOUSE OF LORDS

FROM AN ENGRAVING AFTER THE PAINTING BY SIR J. REYNOLDS

The Royal Assent is nowadays a mere formality—a final ceremonial which marks the last stage of a Bill's progress ere it becomes law. It is usually given by the Lords Commissioners, who act as representatives of the Crown, though there is nothing to prevent a sovereign from performing this duty himself. On August 2, 1831, when the Bill making separate financial provision for Queen Adelaide received the Royal Assent, both the King and Queen attended in Parliament, and the latter acknowledged her indebtedness by bowing thrice, presumably to King, Lords and Commons. As a rule, however, the sovereign is not present on these occasions, his place being taken by a Commission. This consists of the Lord Chancellor and two other Lords, who take their seats, prior to the ceremony, upon a form placed between the Throne and the Woolsack. The Gentleman Usher of the Black Rod is then commanded to summon the faithful Commons, and, on the arrival of the latter at the bar of the Lords, the titles of the various Bills are read aloud by the Clerk of the Crown, and the Royal Assent is given by the Clerk of the Parliaments in old-fashioned Norman-French. In the case of a Money Bill, brought up by the Speaker of the Commons, and received by the Clerk of the Parliaments, who bears it to the Table bowing, the formula runs as follows:—

"Le Roi remerçie ses bons sujets, accepte leur benevolence, et ainsi le veult."

In the case of a Public or Private Bill, the respective phrases, "Le Roi le veult" or "Soit fait comme il est désiré" are substituted, though, as a matter of practice, the latter phrase is only used for Estate, Naturalisation and Divorce Bills.

In olden days, when the Crown was often in the habit

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minutes of the daily proceedings, and all the returns ordered by the House. As registrar of the Court of Final Appeal, he takes the instructions of the judicial authorities upon all questions relating to appeals, and keeps a record of all judgments, etc. Lastly, and this is perhaps not the east important of his duties, he gives the Royal Assent to Bills.

of refusing to consent to the passing of particular Bills, the words used by the Clerk of the Parliaments to signify the royal veto were "Le Roi s'avisera." In this way Queen Elizabeth quashed no less than forty-eight Bills that had passed through Parliament, and William III. similarly declined to assent to the Parliamentary Proceedings Bill of 1693, much to the annoyance of the Commons. But never since Queen Anne vetoed the Scotch Militia Bill, in 1707, has any sovereign refused the Royal Assent.

All questions before Parliament are decided by the voice of the majority. And though, as Gladstone once said, decision by majorities may be as much an expedient as lighting by gas, it is an expedient that answers very well in practice, and for which an effective substitute has yet to be found. Majority may sometimes seem a clumsy argument, but it always remains "the best repartee."

The procedure in either House for ascertaining the general opinion upon any measure or motion differs but slightly in form, and not at all in principle. At the end of every debate the question under discussion is laid before the House by its Speaker or Chairman. This he does by rising in his place and saying, "The question is that . . ." (here follows the exact words of the motion). "As many as are of that opinion say 'Aye!'; as many as are of the contrary opinion say 'No!'" (In the Lords the words "Content" and "Not Content" are substituted for "Aye" and "No.") Members or peers thereupon express their views in the required manner, and the Speaker (or Chairman), gathering what is called the "sense of the House" by the volume of sound proceeding from either party, says, "I think the Ayes (or Noes)"—or, in the Lords "the Contents" or "Not Contents"—"have it!"

If the judgment of the Chair be unchallenged, the question is deemed to be resolved in the affirmative or negative, as the case may be, and nothing further remains to be done. Should, however, either party question the correctness of the Chairman's opinion, recourse is had to a division, and certain necessary formalities have to be observed before the matter is definitely settled one way or the other.

When a division is challenged in the House of Commons, the Speaker (or Chairman) orders the Sergeant-at-Arms to "Clear the lobby," and the tellers' doors leading from the lobbies, as well as the door leading from the Central Hall, are immediately locked. After the lapse of two minutes, during which the loud division-bells are set ringing all over the building to summon breathless members to the Chamber, the question is again put from the Chair. If once more challenged, the Speaker names two members of either party to act as "tellers." Should no one be found willing to undertake this duty, a division cannot take place, and the Speaker declares that the "Noes" have it. If, however, tellers are duly appointed, they take their place at the exit doors leading from the two lobbies, which are now unlocked. After another interval, this time of four minutes' duration, the doors leading from the House to the lobbies are locked. Meanwhile, all members who wish to vote have left the Chamber, and are streaming through their respective lobbies, where their names are recorded by clerks, while the tellers count them as they pass through the lobby doors.

In the old days of St. Stephen's Chapel, the "Ayes" used to remain in the House, while the "Noes" withdrew, and were counted on their return. This practice led to endless difficulties, many members refusing to go out for fear of losing their seats, while others were forcibly detained by their friends. In Elizabeth's time, Sir Walter Raleigh admitted that he often held a fellow-member by his sleeve, and others were accused of pulling each other back, as Cecil said, "like a dog on a string."[1] Later on, it was decided that members who gave their votes for the introduction of "any new matter" should alone withdraw, while the votes of those who remained behind were recorded. This system also had its disadvantages. In 1834, for instance, when a certain Whig member, Colonel Evans, fell asleep in one of the side galleries during a division, he woke to find that he had been counted among the Tories, much to his disgust. Finally, two years later, the practice of clearing the House altogether for a division was first instituted, and continued in force until the establishment of the modern method in 1906.[1]

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[1] D'Ewes' "Journal," p. 683, and Townshend's "Proceedings of Parliament," p. 322.

When all members who desire to vote have filed through the lobbies, and are once more reassembled in the House, the four tellers advance together to the Table. The senior teller of the party having a majority, walks on the right, bearing in his hand a slip of paper, on which are written the numbers of the division. By the position of the teller it is thus possible to gauge the result of a division before it has been officially announced, and his advance to the Table in the place of honour is usually the signal for an outburst of cheering from his own victorious party. He proceeds to report the result of the division to the Clerk at the Table, who writes the numbers on a piece of paper, which he hands back to him. This the teller passes to the Speaker, who, in turn, announces the numbers to the House. The doors are then unlocked, and the division is at an end.

On one famous occasion the tellers failed to agree in their reports of the figures. This happened on May 10, 1675, when the House in Committee had divided on a motion with regard to the English regiments serving in the French army. The tellers' difference of opinion gave rise to a scene of great confusion, during which one member spat in another's face, and a free fight would probably have ensued but for the sudden arrival of the Speaker.

The amount of time spent in dividing has always been a source of annoyance to earnest politicians, more especially when divisions are made use of as a recognised form of obstruction, and the progress of parliamentary business thereby much impeded. In 1902, to name a recent example, the opponents of the Deceased Wife's Sister Bill, which had already passed a Second Reading, deliberately walked so slowly through the lobbies during four divisions that there was no time left to move that it should be sent to a Grand Committee. Members naturally grudge the precious hours wasted in trudging through the lobbies; but it seems impossible to invent any scheme that shall further expedite matters, the present system being apparently as perfect as the mind of man can devise.[1]

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[1] In 1810, another system was temporarily introduced, the members ranging themselves on either side of the House and being counted by the tellers. Croker, when Ministerial teller, once accidentally missed out a whole bench full of Government supporters, thereby reducing the Ministerial majority by about forty. The Opposition teller watched the error with a smile, but did not feel called upon to correct it. See "The Observer," March 11, 1810.

When a division is called in the House of Lords, the procedure is very similar in character to that of the Commons. The Chancellor (or Lord on the Woolsack) orders strangers to withdraw by saying, "Clear the bar!" and the Clerk of the Parliaments thereupon turns a two-minute sand-glass.

When the sand has run out of the glass, the doors are locked, and the question is once more put to the House. If the Lord Chancellor's decision is challenged he at once says, "the 'Contents' will go to the right by the Throne, and the 'Not Contents' to the left by the bar." Each party then passes through its own lobby, the "Contents" re-entering the House on the right of the bar, the "Not Contents" through the door on the left of the Throne, their votes being duly recorded by clerks in the lobbies. The subsequent procedure resembles that in vogue in the Lower House.

Until 1857, when the present system was adopted, the "Contents" remained within the bar, while the "Not Contents" went below the bar. Peers, who through infirmity, or other causes, are disabled from leaving the House, may by its permission be "told" in their seats, and those who do not wish to vote at all are allowed to go within the railings on the steps of the Throne.

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[1] In the Session of 1881 the number of divisions was about 400; in 1908, including the autumn Session, the number was 463, and in 1909 the House of Commons divided 918 times.

In old days the practice of voting by proxy was habitual in the House of Lords. During the reign of Edward I., nobles who were unable to attend in person invariably sent messengers to act for them. Peers were permitted to appoint any individuals to represent them, either permanently or on special occasions, and, up to the fifteenth century, these proxies did not even have to be peers themselves. In the time of Henry VIII. the custom of allowing peers to represent one another was first instituted, and in Charles I.'s day we find the Duke of Buckingham holding no less than fourteen proxies. Such a custom naturally led to many abuses, and an order was eventually passed forbidding any peer to hold more than two proxies. Finally, in 1868, the House of Lords realised that the practice was reprehensible, and passed a Standing Order whereby the system of calling for proxies on a division was discontinued.

To-day, peers are in some ways even more particular than their colleagues in the Commons, and do not allow any one of their number to take part in a division unless he has himself been in the House when the question was put. In other respects they enjoy a wider latitude. If a lord occasionally strays into the wrong lobby, he may refuse to be counted by the tellers, and his vote may afterwards be recorded as he desires. A member of the House of Commons who commits a like indiscretion is required to bear the consequences, and can neither alter nor rescind his vote.

In the event of an equal number of votes being recorded on either side in a division the procedure differs in the two Houses. In the Lords the question is invariably resolved in the negative, in accordance with the ancient rule of the Law: "semper præsumitur pro negante." In the Commons the Speaker has to decide it by a casting vote, which he generally gives in such a manner as to leave the question open for another division. This, however, is not always an easy task; indeed, it is often a most invidious and unpleasant one. In April, 1805, Speaker Abbot was compelled to give a casting-vote on the resolution leading to the impeachment of Lord

Melville. After ten minutes' distressing hesitation, while the House remained in a state of agonized suspense, Abbot reluctantly gave his vote against Lord Melville, and thus secured the defeat of Pitt.[1]

This is by no means the only instance of a momentous question such as the life of a Government being decided by a single vote. The Second Reading of the Reform Bill in 1831 was carried by a majority of one; the House on that occasion presenting a sight which, as Macaulay said, was to be seen only once and never to be forgotten. "It was like seeing Cæsar stabbed in the Senate House, or seeing Oliver taking the mace from the Table." When the tellers announced the majority the victorious party shouted with joy, while some of them actually shed tears. "The jaw of Peel fell; and the face of Twiss was as the face of a damned soul; and Herries looked like Judas taking his necktie off for the last operation." In 1854 Lord Russell was defeated and Sir Robert Peel returned to victory on the crest of an equally diminutive wave; and a century earlier Walpole's administration was overthrown by a small majority of three.

A minority of one is more unusual, but not altogether unknown. At the end of the eighteenth century, when the Duke of Somerset divided the House of Lords on a question of war with France, he walked alone into the Opposition division lobby. The same fate befell Dr. Kenealy in 1875, when his motion on behalf of the Tichborne Claimant was defeated by 433 votes to 1. On July 16, 1909, when a division was taken on an amendment to reject a Bill prohibiting foreign trawlers from landing their catches at British ports, the Noes numbered 158 while there was but a solitary Aye. And on July 18, 1910, on a motion for the adjournment of the House, there was but a single No.

No secrecy is maintained as to the voting of peers or members in divisions. In the old Journals of the Lords the division lists used always to be entered, but in 1641 this practice was abandoned, and the minority could only record an adverse vote by a formal protest of dissent.[1] Division lists were not regularly printed in the Commons until 1836, and the Lords followed suit about twenty years later.

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[1] Only fifteen ties are known in the history of Parliament. On April 3, 1905, Speaker Gully gave a casting vote on the Embankment Tramways Bill, as did Speaker Lowther, on July 22, 1910, on the Regency Bill.

Divisions provide legislators with plenty of exercise, combined occasionally with acute mental anxiety. The latter they share with those hardworked and hardworking individuals, the "Whips" or "Whippers-in," whose duties are at all times heavy and become especially onerous with the approach of a division.

These Whips, who are four in number—two representing the Government, two the Opposition—have rooms provided for them in the Lobby, and hold positions of the utmost responsibility and influence. In the House of Commons the office of principal Government Whip is one of immense importance and requires, as Disraeli said, "consummate knowledge of human nature, the most amiable flexibility, and complete self-control."[2] As Patronage Secretary to the Treasury, with a salary of £2000 a year, he is the descendant of that official, sometimes known as the "Secretary for Political Jobs," who in former times bought members, their votes and constituencies, and disposed of the Government secret service money to obtain (and retain) a majority for the party in power.

The Chief Whip is generally assisted by two of the Junior Lords of the Treasury, and, in conjunction with the Opposition Whips, arranges all the details of the sessional campaign. On the occasion of important debates the Whips conspire to choke off any garrulous nonentities who may wish to make their voices heard, and practically arrange a list of the influential speakers on both sides in the order in which they are to address the House. At such a time the Speaker's eye may almost be said to be a party to the conspiracy, though never yielding its discretion to be caught by members whose names are not upon the Whips' list.

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[1] This right of protest recorded in the Journals of the House is still occasionally exercised.

[2] "Life of Lord George Bentinck," p. 314.

Tact, good temper and unceasing vigilance are virtues necessary to Whips. They must combine the discretion of the diplomatist with the acumen of the sleuth-hound. It is their business to smooth the ruffled feathers of any members who consider themselves aggrieved, to listen patiently to the bores, to suffer the fools gladly. They are expected to ascertain the "sense" of the House upon all important questions, either by instinct, by worming their way into the confidence of members, or by secret detective work in the Smoking Room. They must keep their leader informed of their discoveries, and thus guard the party against any sudden unexpected attack. If necessary they act as emissaries or ambassadors between the party heads, arranging an occasional compromise or deciding what particular questions shall be discussed in an uncontroversial spirit.

The Whips have been called the autocrats of the House of Commons, but though they rule individual members with an iron hand, it must ever be their desire to keep their party contented and happy and harmonious. When a private member is very anxious to escape from the House for a holiday it is to the Whip he applies for permission. If possible he "pairs" with some member on the other side who is equally desirous of escaping. At the door of the House lies a book in which members "pairing" with one another inscribe their names, and it is one of the Whips' duties to arrange these "pairs," and, above all, to see that no member gets away unpaired.

At a time when a ticklish division is expected, when the majority on either side is uncertain, the Whips are stimulated to herculean labours. Threats, entreaties, cajoleries, all must be employed to bring members up to the scratch. The waverers must be secured, the doubtful reassured. Nothing can be left undone to ensure that every available member shall be in his place when the decisive moment arrives. The byways and hedges are scoured for absentees, who are besought to return at once to Westminster to record their votes and perhaps save their party from defeat.

When Pulteney, whom Macaulay considered the greatest leader of the Opposition that the House of Commons had ever seen, gathered his forces in 1742 to overthrow Walpole, the Opposition left no stone unturned to ensure a majority. They collected every man of the party, no matter what excuses he put forward. One was brought into the House in a dying condition, but contrived to defer his impending dissolution until he had recorded his valuable vote. Both sides produced a number of incurables, and the House looked (as Ewald says) more like the Pool of Bethesda than a legislative assembly. The Prince of Wales was an interested spectator of the scene. "I see," he remarked to General Churchill, "you bring in the lame, the halt and the blind!" "Yes," replied the General, "the lame on our side, the blind on yours!"[1]

A similar scene took place in 1866 when the Russell-Gladstone Cabinet was defeated over the Reform Bill. The Whips had achieved wonders in collecting their flocks together; they had haled to Westminster the sick, the senile, the decrepit, the doting and the moribund. The grave alone seems to have been sacred from their ravages. Some of the members, as we read in a contemporary account, "had been wooed from the prostration of their couches; one had been taken from the delights of his marriage-trip; and several from the bedsides of relatives in extremity."[2]

To be able to accomplish such feats the Whips must be well acquainted with the habits and haunts of the individuals beneath their charge, so that at any moment of the day or night they may send a telegram or a message to an absentee whose presence is urgently required. Pepys in his Diary (December 8, 1666) describes how the King gave an order "to my Lord Chamberlain to send to the playhouses and brothels, to bid all the Parliament-men that were there to go to the Parliament presently," to vote against some Bill of which he disapproved. The modern Whip in like manner must be ready at any moment to despatch an urgent summons to the Opera, to the Clubs, to houses where parties are being given, recalling members to their parliamentary duties. And in doing so he must exercise the greatest possible tact. The wife of a much respected member of Parliament was sleeping peacefully in her bed one night when a frantic message arrived from the party Whip imploring her husband to come at once to Westminster. She remembered that her spouse had informed her that he would probably be kept at the House until late and had begged her not to sit up. Inspired with horrible suspicions of conjugal perfidy, the good lady rose in haste and hurried down to the House of Commons to confirm them. As a matter of fact her husband had never left the precincts of Parliament, and the Whip's message had been despatched in error. The member was therefore much surprised at the sudden appearance of his wife upon the scene. His attachment to home and duty had been equally unimpaired, and he received her explanation somewhat coldly.

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[1] Ewald's "Biography of Walpole," p. 419.

[2] "Chambers' Journal," December 26, 1886, p. 819.

A notice, more or less heavily underlined, is sent to each member of Parliament every morning, apprising him of the business of the day's sitting and of the necessity for his presence in the House. These "whips," as they are called, were in vogue as long ago as the year 1621, when, Porritt tells us, notices underlined six times were sent to the King's friends.[1] The urgency of the summons can be gauged by the number of underlines, and a "whip" that is underlined three times can only be ignored at the peril of the member who receives it.[2]

Though the Whips seldom address the House themselves, they must on all occasions be ready to provide other speakers who shall feed the dying embers of debate with fresh fuel. At all hazards the ball must be kept rolling. Sometimes a debate shows signs of languishing in an unexpected fashion, and the Whip is horrified to find that his usual majority has dwindled away to nothing. When this occurs he must at once find members who are willing to talk against time while he and his colleagues hasten round and beat up a majority. On one famous occasion within recent memory, while most of the supporters of the Conservative Government were disporting themselves at Ascot on the Cup day, the Opposition prepared to spring an unexpected division upon the House. The situation was only saved by Mr. Chaplin, who spoke for several hours, in spite of the howls of his opponents, while a special train was bringing absentees from the racecourse to the House of Commons.

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[1] Porritt's "Unreformed House of Commons," vol. i. p. 509.

[2] Until a few years ago all "whips" were underlined twice and in urgent cases five times.

It is, then, the Whip's duty, not only to "make" a House and to "keep" a House, but also, like Sidmouth's sycophantic relatives, to "cheer the Minister." To quote the lines of Canning—

"When the faltering periods lag,
  Or the House receives them drily,
Cheer, oh, cheer him, Brother Bragge;
  Cheer, oh, cheer him, Brother Riley!

"Brother Bragge and Brother Riley,
  Cheer him! when he speaks so vilely,
Cheer him! when his audience flag,
  Brother Riley, Brother Bragge!"[1]

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[1] "Ode to the Doctor." (Bragge Bathurst, Lord Sidmouth's brother-in-law, and Riley, his brother, were place-hunters who felt bound to applaud their patron.)

CHAPTER XV

STRANGERS IN PARLIAMENT

THEORETICALLY speaking, Parliament is averse to the presence of strangers; in practice both Houses are as hospitably inclined as is compatible with the limited space at their disposal.

One of the chief duties of the Sergeant-at-Arms originally consisted in "taking into custody such strangers who presume to come into the House of Commons."[1] This duty has however, long been neglected, and a modern Sergeant-at-Arms who sought to accomplish such a task would find his hands full.

In the early days of Parliament, the most drastic measures were taken to maintain the secrecy of debate, and the intrusion of a stranger was looked upon as a cause for grave alarm. In 1584, a man named Robinson succeeded in obtaining admission to the Commons, and sat in the House unnoticed for two hours. When at last his presence was discovered, Mr. Robinson was roughly handled by the Sergeant-at-Arms, and, before he had time to utter his own name, was "stript to the shirt" and searched.[2] Nothing of an incriminating nature being found beneath the intruder's clothing, he was brought to the bar, sworn to secrecy and compelled to take the Oath of Supremacy before being finally released with a severe reprimand. A hundred years later two inoffensive but ignorant strangers walked into the House and sat quietly down beside the Sergeant-at-Arms. Here they remained for some time, much impressed by the hospitality of the Commons, until a division happened to be called. Their presence was not observed until the lobby doors had been finally locked, and they had to be hurried out of the way by a side staircase to the Distinguished Strangers' Gallery. Here they remained until the division was over, and were subsequently dismissed with a caution. In 1771, a stranger who had accidentally mingled with the members in the lobbies was actually counted in a division.

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[1] House of Commons "Journals," vol. x. 291.

[2] D'Ewes' "Journal," p. 334.

As time went on Parliament grew more and more tolerant of the presence of strangers, and, though the order forbidding their admission remained upon the order book of the House of Commons, it soon came to be universally disregarded.

In the old House members would sometimes be accompanied by their sons, quite little boys, whom they would carry to their seats beside them, and strangers could always obtain a seat in the gallery by means of a written order given them by a member, or by the simple method of slipping half-a-crown into the hand of the attendant at the door. When C. P. Moritz, the German traveller, visited the House in 1782, he sought admission to the gallery, but, being unprovided with a pass, was turned away. As he was sadly withdrawing he heard the attendant murmur something of an apparently irrelevant nature concerning a bottle of rum, but not until he reached home did it occur to him that the remark might possibly have some bearing upon the situation. The next day, having been enlightened as to the general custom in vogue among those who wished to be present during a debate, he returned to the gallery. He had taken the wise precaution of providing himself with a small sum of money. This he had no difficulty in pressing upon the door-keeper, who at once showed him into a front seat.[1] No doubt Edmund Burke, who in his youth spent so much time listening to the debates and gaining that Parliamentary experience which was afterwards destined to stand him in such good stead, unlocked the gallery door with the same golden key.

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[1] Pinkerton's "Voyages," vol. ii. p. 506.

Up to the year 1833 the doorkeepers and messengers of the House of Commons were paid principally in fees and gratuities. Members were called upon to contribute about £9 per session towards a fund raised on their behalf, and they received a small nominal salary of less than £13. The doorkeepers earned further payment by delivering the Orders and Acts of the House to members, as well as various fees from parliamentary agents, and were likewise entitled to a quarter of the strangers' fees. In 1832 the two chief doorkeepers were making between £800 and £900 a year, and the chief messenger nearly £600. The man whose duty it was to look after the room above the ventilator to which ladies were admitted was not so successful as his colleagues, and complained that he only received about £10 a year in tips from the more economical sex.[1]

Pearson, for over thirty years doorkeeper in the old House of Commons, was one of the most familiar figures in and about St. Stephen's Chapel during the latter part of the eighteenth century. In his box near the gallery he sat—

> "Like a pagod in his niche ;
> The Gom-gom Pearson, whose sonorous lungs,
> With 'Silence! Room there!' drown an hundred tongues."

Long service had given him a position of authority of which he took every advantage. If a member were negligent in the matter of paying the door-keeper his fee, or treated that official in a manner which he considered derogatory to his dignity, Pearson revenged himself by sending the offender to the House of Lords or the Court of Requests in search of imaginary friends. By such means he generally reduced the irritated member to submission, and could extract a handsome present and a promise of future politeness. Pearson had his own importance so much at heart, as we read in his biography, that he spurned a member's money unless he had previously humbled the man. Long experience had enabled him to time the length of a debate or even of an individual speech with extraordinary accuracy. Members wishing to be informed as to the probable hour of adjournment would ask him at what time the Speaker had ordered his carriage. "The Speaker has ordered his coach at eight," Pearson would reply, "but I'll be d——d if you get away before twelve!"[1]

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[1] "Report of the Select Committee on the Establishment of the House of Commons" (1833), pp. 84–5. (To-day the messengers and doorkeepers, of whom there are about a score, earn regular salaries ranging from £120 to £300. Except for a share in the fund for messengers and police to which members may or may not contribute, no gratuities of any description are allowed to them.)

Pearson's treatment of strangers was no less autocratic. He could not always be corrupted into finding room for them in the galleries unless he happened to take a fancy to the appearance of the visitors. "If a face or a manner did not please him," says his biographer, "gold could not bribe him into civility, much less to the favour of admission. One stranger might be modest and ingratiating; Pearson, like Thurlow, would only give him a silent contemptuous stare; another would be rude; Pearson would laugh at his rudeness, tell him the orator of the moment, and, perhaps, shove him in, although he had before refused dozens who were known to him."[2]

In the first year of Queen Victoria's reign a suggestion was made that the public should be admitted without orders of any kind. This idea was successfully opposed by Lord John Russell, who expressed a fear that in such circumstances the galleries would be filled with pickpockets and other objectionable persons.

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[1] The familiar way in which Pearson addressed members seems to have been generally condoned on account of his long service. Once when General Grant, who had boasted that he would march victoriously through America with three thousand men, asked the door-keeper how long a certain member would speak, Pearson replied, "As long, General, if he was allowed, as you would be in marching through and conquering America!" Pearson's "Political Dictionary," p. 10.

[2] Ibid., p. 6.

Prior to 1867 strangers sometimes hired substitutes to keep places for them in the crowd which thronged St. Stephen's Hall on the morning of a big debate. These representatives would arrive as early as 2.30 a.m., and, like the messenger boys in the *queue* outside a modern theatre, wait patiently until the door was opened in the afternoon.

In 1867 the system of balloting for seats in the Strangers' Gallery was first instituted. Members had long been in the habit of giving orders "to bearer," written on the backs of envelopes or any scraps of paper, which were freely forged and transferred from one visitor to another. Strangers who were armed with these gallery passes were now compelled to ballot for precedence, and though on important nights the number of disappointed applicants was great, visitors gained the advantage of not being kept waiting for hours on the chance of obtaining a seat.

This system continued to obtain until the time of the Fenian scares, in 1885, when, owing to the fact that two strangers admitted to the Gallery on August 4th proved to be well-known dynamiters, the police became alarmed for the safety of the House. To prevent the recurrence of such an unwelcome visit it was ordered that all applications for admission should be made in writing to the Speaker's secretary. The signatures of the strangers applying for places could thus be verified by comparison with their signatures in the Gallery book.

The deliberations of Parliament are supposed to be secret, and, though the practice of avoiding publicity has long fallen into disuse, it is still always possible for strangers to be excluded should the occasion demand it. They were not welcomed with effusion in either House, a century or two ago. In 1740 Lord Chancellor Hardwicke declared to the Lords that "another thing doth diminish the dignity of the House; admitting all kinds of auditors to your debates. This makes them be what they ought not to be, and gives occasion to saying things which else would not be said."[1]

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[1] "Life of Lord Hardwicke," vol. i. p. 489.

Thirty years later, as we have already seen, during a speech of the Duke of Manchester's on the state of the nation, Lord Gower rose and desired that the House of Lords should be cleared of all who were not peers. The Duke of Richmond strongly objected, considering this an insult to the members of Parliament and others who were present. Chatham tried in vain to address the House, and finally, as a dignified protest, he and a score of other peers left the Chamber.

Somewhat similar scenes have occurred in the Lower House. On one occasion, indeed, the members of the popular assembly so far forgot themselves as to hurl epithets of abuse at a distinguished stranger who was in their midst. On February 22, 1837, Sheil made a violent attack in the House of Commons upon ex-Lord Chancellor Lyndhurst, the Irish Municipal Bill being under discussion at the time. Lyndhurst had been accused of saying that three-quarters of the people of Ireland were aliens in blood and only awaited a favourable opportunity to cast off the government of England as the yoke of a tyrannical oppressor, and this had roused the Irish to fury. The ex-Chancellor happened to stroll into the House of Commons while Sheil was speaking, and took his seat below the bar. Immediately the Irish members turned upon him, and for about ten minutes shouted insults at the venerable statesman, who remained apparently unmoved by the clamour.[1]

Up to within the last forty years it was quite sufficient for a member of Parliament to inform the Speaker that he "espied strangers" for the galleries to be instantly cleared. On April 27, 1875, however, the cantankerous and obstructive Mr. Biggar brought this rule into disrepute by calling the Speaker's attention to the Strangers' Gallery at a time when its occupants included the Prince of Wales and the German Ambassador. In accordance with the regulations of the House, these distinguished visitors were compelled to leave forthwith. This quite gratuitous act of discourtesy on the part of an extremely unpopular member was little to the taste of the House. The sentiments of the majority were aptly voiced by Disraeli when he begged Mr. Biggar to bear in mind that the House was above all things "an assembly of gentlemen." On the Prime Minister's motion, carried by a unanimous vote, the Standing Order relative to the exclusion of strangers was temporarily suspended, and the galleries reopened. A resolution of Disraeli's was eventually adopted whereby strangers could only be compelled to withdraw on a division in favour of their exclusion, no debate or amendment being permitted; though it was still left to the discretion of the Speaker or Chairman to order their withdrawal at any time and from any part of the House, if necessary.

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[1] Greville, "Memoirs," vol. iii. p. 389.

Visitors to the House of Commons enter by St. Stephen's porch, where, until recently, they were interrogated by the police constable on duty. If their answers proved satisfactory, they were admitted to the Central Hall, whence they dispatched printed cards inscribed with their names, addresses, and the object of their visit, to such members as they desired to see. The duty of ministering to the needs of friends who were anxious to listen to the debates was one of the minor discomforts of membership. There is a story of a member of Parliament receiving a letter from a constituent asking for a pass to the Speaker's Gallery or, if that were impossible, six tickets to the Zoological Gardens. The natural inference to be gathered from this request must be that the House of Commons, which Lord Brougham once likened to a menagerie, is capable of affording six times as much entertainment as the monkey-house in Regent's Park.

Until the last session of 1908 members could obtain two daily orders of admission for strangers from the Speaker's secretary or the Sergeant-at-Arms, the Speaker's and Strangers' Galleries (which were amalgamated in 1888) providing accommodation for about one hundred and sixty visitors. In the autumn of 1908, however, a man who wished to advertise the cause of Female Suffrage—and incidentally himself—threw a number of pamphlets down from the gallery on to the floor of the House, and was summarily ejected. This resulted in an order issued by the Speaker that for the remainder of the session no strangers should be admitted. The Strangers' Galleries were reopened in May of the following year, and new regulations were framed to prevent the recurrence of such a scene. Visitors are now permitted to apply at a special bureau in St. Stephen's Hall, at any time after 4.15 p.m. and, if there is room, are at once admitted to the gallery without the formality of searching for a member. Each stranger signs a declaration undertaking to abstain from making any interruption or disturbance, and to obey the rules for the maintenance of order in the galleries.

Applause, or the expression of any feeling, is strictly prohibited in the Strangers' Gallery, and the attendants on duty there have instructions to expel offenders without waiting for any explanation of their conduct. In the commencement of the last century a stranger once shouted, "You're a liar!" while O'Connell was speaking, and was arrested by the Sergeant-at-Arms and compelled to apologise the next day.[1] Since that time, until recently, visitors have behaved with commendable decorum.

The instances of strangers causing a commotion in Parliament by extraordinary or improper behaviour are few in number. The assassination of Spencer Perceval, the Prime Minister, by a visitor in 1812 is undoubtedly the most tragic event that has ever taken place within the precincts of the House of Commons, the murderer being a mad Liverpool merchant, named Bellingham, who had a grievance against the Government. The recollection of this outrage almost gave rise to a panic some years later when a wild-eyed, haggard man rushed into the House while Sir Robert Peel was speaking, and walked boldly up to the Minister. Stopping within a few feet of the speaker, this alarming stranger made a low bow. "I beg your pardon," he remarked suavely, "but I am an unfortunate man who has just been poisoned by Earl Grey!" He was at once removed to the nearest lunatic asylum.[2]

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[1] Boyd's "Reminiscences," p. 49.

[2] Doyle's "Recollections," p. 174.

Other strangers have from time to time created a mild consternation or amusement by some eccentricity of dress or deportment. In 1833 a young Scotsman crossed the bar of the Commons and sat deliberately down on a bench among the members, where he remained undiscovered for some time. In the same year a compatriot, garbed in full Highland costume, unwittingly entered the side gallery reserved for members, and prepared to listen to the debate from this comfortable quarter. On being informed of his mistake, this hardy Northman was so overcome with terror at the contemplation of his crime and the consequences that would probably ensue—nothing short of death could, he imagined, be the punishment appropriate to such an offence—that he took to his heels and ran like a hare, never pausing for breath until he reached Somerset House, a mile and a half away.[1] Sir Wilfrid Lawson in 1894 was shown a man in the Lobby who had been turned out of the gallery for being drunk. On asking what crime the stranger had committed, he was told that he had said "Bosh!" to some of the speeches. This, as Sir Wilfrid remarked, was not conclusive evidence of drunkenness.[2]

A strange Irishman provided the peers with some amusement in 1908 by appearing in the House of Lords attired in a saffron-coloured kilt and toga which he claimed to be his national costume, and which had doubtless been so ever since the days of Darwin's missing link. He turned out to be harmless enough, and, though momentarily disturbing to Black Rod's peace of mind, did nothing more alarming than to provide another example of the well-known fact that it is possible to be a Celt and at the same time to lack a sense of humour.

Strangers of the male sex who visit the Upper House may be accommodated in the large Strangers' Gallery facing the throne, or, if members of Parliament, in the special House of Commons' gallery, or at the bar. Privy councillors and the eldest sons of peers are allowed to sit or stand upon the steps of the Throne, and there are special galleries set apart for the use of the *corps diplomatique* and the Press.

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[1] Grant's "Recollections," p. 16.

[2] G. W. E. Russell's "Sir Wilfrid Lawson," p. 227.

The question of allowing women to attend the debates has long presented difficulties to the parliamentary mind, though at one time it was not unusual to see lady visitors actually sitting in the Chamber itself side by side with their husbands and friends. "Ought females to be admitted?" asked Jeremy Bentham, many years ago, unhesitatingly answering his own question in the negative a moment later. To remove them from an assembly where tranquil reason ought alone to reign was, as he explained, to avow their influence, and should not therefore be wounding to their pride. "The seductions of eloquence and ridicule are most dangerous instruments in a political assembly," he says. "Admit females—you add new force to these seductions." In the presence of the gentler sex, Bentham suggests, everything must necessarily take an exalted tone, brilliant and tragical—"excitement and tropes would be scattered everywhere." All would be sacrificed to vanity and the display of wit, to please the ladies in the audience.[1] If the serious business of debate were to be sacrificed to "tropes," no doubt the British Constitution would be considerably endangered; but experience has taught us that the presence of ladies has not affected the debates detrimentally, and the excitement caused in the breasts of our legislators by the sight of a contingent of the fair sex is not of a kind to prove alarming.

Women have taken a strong interest in political matters in England from very early days.[2] We even find them giving occasional expression to their views upon some Government measure with a violence which did not at all

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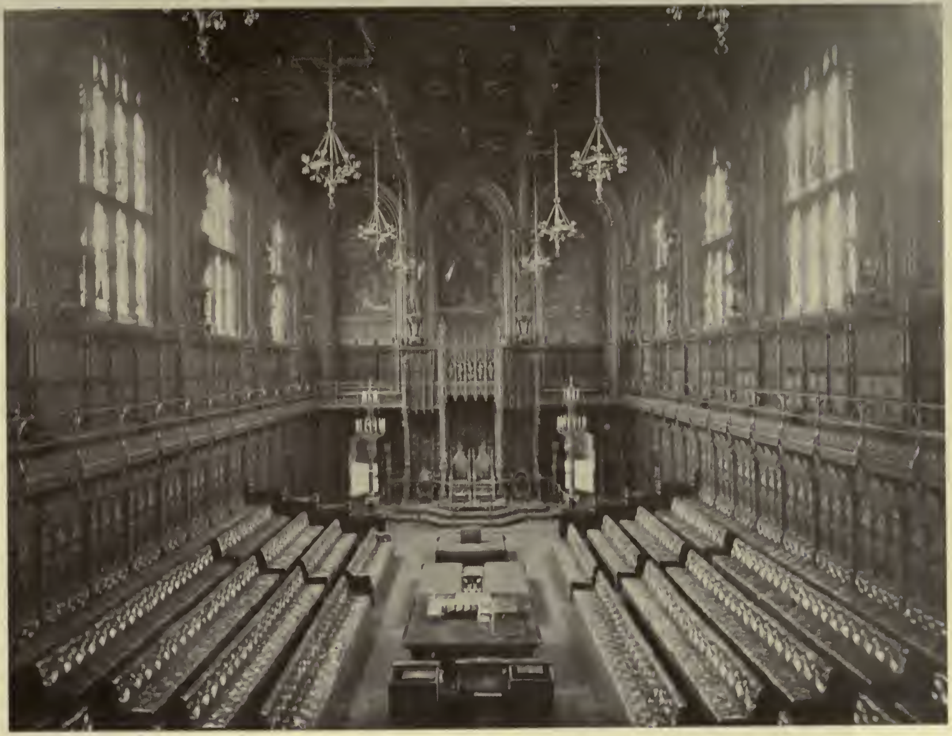
[1] "Works," vol. ii. 327.

[2] Ladies of rank often attended the Saxon Witenagemots, and in the reigns of Henry III., Edward I., and Edward III. certain abbesses were summoned to send proxies to Parliament. (See G. B. Smith's "History,' vol. i. p. 11.) In the sixteenth century the right to elect a member for the rotten borough of Gatton was in the hands of a woman. See Porritt's "Unreformed House of Commons," vol. i. p. 97.



THE HOUSE OF LORDS IN 1910

commend itself to the authorities. In the Journals of the House for March 5, 1606, is the following entry: "A Clamour of Women against Sir Robert Johnson, for speaking against a Bill touching Wherry-men; upon complaint of which the Commons ordered, that Notice should be given to the Justices of the Peace, to prevent and suppress such disorders."[1] What steps the Justices of the Peace took to quell this feminine clamour history does not relate. In 1675 some confusion was caused by the Speaker observing ladies in the gallery, and though a member suggested that they were not ladies at all, but merely men in fine clothes, the Speaker insisted that he had caught sight of petticoats.

In the time of Queen Anne ladies were strongly infected with the spirit of party. Addison declares that even the patches they wore on their faces were so situated that the political views of the wearer could be recognised at a glance. Friends might be distinguished from foes in this delightful fashion, Tory ladies wearing their patches on the left, Whigs on the right side of the face. An old number of the "Spectator"[2] contains the sad story of one Rosalinda, a famous Whig partisan who suffered much annoyance on this account. The fact that Rosalinda had a beautiful mole on the Tory part of her forehead gave her enemies the chance of misrepresenting her face as having revolted against the Whig interest—an accusation which naturally depressed the poor lady considerably.

The House of Lords has always been more hospitable than the Commons in its treatment of women. The two side galleries are reserved for peeresses—though a certain portion is kept for members of the *corps diplomatique*, and for the Commons—and there is a large box on the floor of the House where the wives of peers' eldest sons sit, and a number of seats below the bar to which Black Rod may introduce ladies.

The peers have not, however, been exempt from the occasional inconveniences attaching to the presence of women.

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[1] "Observations, Rules, etc.," p. 162.

[2] No. 812, June 2, 1711.

Lord Shaftesbury, during the term of his Lord Chancellorship, complained bitterly of the "droves of ladies that attended all causes," and said that things had reached such a pass that men "borrowed or hired of their friends, handsome sisters or daughters to deliver their petitions."[1] And in 1739, the fair Kitty, Duchess of Queensberry, headed a storming party and successfully besieged a gallery in the House of Lords from which ladies had been excluded in order to make room for members of the Commons.[2] Greville declares that the steps of the Throne were inconveniently thronged with women in 1829. "Every fool in London thinks it necessary to be there," he says. "They fill the whole space, and put themselves in front, with their large bonnets, without either fear or shame."[3]

In 1775, women were allowed to be present in Parliament to listen to election petitions, and continued to be admitted to the body of the House of Commons until 1778.[4] In this year a member named Captain Johnstone insisted that strangers should withdraw, and the female section of the audience absolutely declined to do so. Threats, entreaties, all were useless. With the charming obstinacy of their sex, the fair visitors clung to their seats, and refused to budge an inch. Among the ladies who led this revolt was the Duchess of Devonshire, and a celebrated beauty of the name of Musters. They were assisted by a certain number of male admirers, and, so successful were their efforts, that two long hours elapsed before the galleries could be cleared. This incident caused the Speaker to forbid the future admittance of women, and until after the fire of 1834, ladies could only listen to debates clandestinely, and in a manner which entailed the maximum of personal discomfort. Their absence does not seem to have had any effect upon the length of the debates. "I was in hopes that long speeches would have been knocked on the head when the ladies were excluded from the galleries," said the door-keeper; "they often used to keep the members up."[1]

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[1] Townsend's "Memoirs," vol. ii. p. 461.

[2] "Letters and Works of Lady M. W. Montagu," vol. ii. p. 37. (I have described this incident at length in "A Group of Scottish Women,' pp. 137–8.)

[3] "Memoirs," 4 April, 1829.

[4] See A. Young's "Autobiography," p. 17. (Election Petitions were tried before the whole House, and thus resolved themselves into mere party struggles. In 1770, Grenville moved that they be referred to small committees.)

When the Commons sat in the old St. Stephen's Chapel, that chamber was divided into two parts by a false roof. The upper half consisted of a big empty room like a barn, with unglazed windows. In the centre of the floor of this apartment was the ventilating shaft of the House, a rough casement with eight small openings, situated exactly above the chandelier in the ceiling of the chamber below. To this room were conducted the lady friends of members desirous of catching a glimpse of the Commons at work. The door was locked upon them, and they were permitted to sit on a circular bench which surrounded the ventilator, and peer down through the openings, while every now and then their imprisonment would be lightened by a visit from some kindly attendant, who would tell them the name of the member addressing the House. The only light was provided by a farthing dip stuck in a tin candlestick, and the room was gloomy and depressing. It is an ill wind, however, that blows nobody any good, and once when O'Connell went up there expecting to find his wife, he kissed the Dowager Duchess of Richmond by mistake.[2]

Maria Edgeworth has left a description of a visit she paid to this melancholy spot in 1822. "In the middle of the garret," she says, "is what seemed like a sentry box of deal boards, and old chairs placed round it; on these we got, and stood and peeped over the top of the boards."[3] From this vantage-point she could see the chandelier blazing just beneath her, and below it again the Table, with the mace resting upon it, and the Speaker's polished boots—nothing more.

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[1] Pearson's "Political Dictionary," p. 34.

[2] Grantley Berkeley's "Recollections," vol. i. p. 369.

[3] "Life and Letters," vol. ii. p. 66.

The twenty-five tickets issued nightly by the Sergeant-at-Arms for admission to this dungeon were much sought after, a fact which testifies eloquently to the political enthusiasm of our great-grandmothers.

In spite of the Speaker's order, ladies still continued occasionally to find their way into more comfortable parts of the House. Wraxall declares that he saw the famous Duchess of Gordon sitting in the Strangers' Gallery dressed as a man.[1] And in 1834, a sister of some member entered one of the side galleries, and sat there undisturbed for a long time, the gallantry of the officials forbidding them to turn her out.[2]

When the new Houses of Parliament were built, slightly better accommodation was provided for the fair sex. It was at first proposed that they should be seated in the open galleries of the Commons, but this suggestion met with little support. Miss Harriet Martineau, writing somewhere about 1876, prophesied pessimistically that if such a proposition were carried out, the galleries would be occupied by giddy and frivolous women, lovers of sensation, with plenty of time upon their hands; "a nuisance to the Legislature and a serious disadvantage to the wiser of their own sex."[3] This idea seems to have been the popular one, and it was resolved to keep the ladies who attended debates as much in the background as possible.

The present gallery has many disadvantages. Its occupants are enclosed in a cage which prevents them from obtaining a good view of the proceedings, and altogether conceals them from the gaze of the members. Repeated attempts have been made to secure better accommodation, notably by Mr. Grantley Berkeley, to whom a number of ladies in 1841 presented a piece of plate in recognition of his services on their behalf. The House is determined, however, that its deliberations shall not be affected by the presence of any disturbing element, agreeing apparently with that member who assured the Speaker that if ladies were permitted to sit undisguised in the gallery, "the feelings of the gallant old soldiers and gentlemen would be so excited and turned from political affairs, that they would not be able to do their duty to their country."[1]

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[1] "Posthumous Memoirs."

[2] Grant's "Recollections," p. 17.

[3] "History of the Peace," vol. iii. p. 375.

The suggestion has often been made that the grille should be taken away from the front of the Ladies' Gallery, but it is doubtful whether the removal of this screen would commend itself to the visitors. Its retention bestows one undoubted benefit upon them; it allows ladies to steal away unnoticed during the speech of some bore, with whom they may be personally acquainted, or whose feelings they would not like to hurt. This is an advantage which cannot be esteemed too highly.

The Ladies' Gallery, which, as has often been said, might be called, but for its occupants, a veritable "chamber of horrors," is not considered to be within the House. Consequently, when strangers are forced to withdraw, ladies may still remain. They are even allowed to be present during prayers. The feminine privilege of not being excluded with other strangers is shared by the peers, who, since 1698, have always (with the exception of a few years) had a gallery reserved for them.

Up to a short time ago members of the House of Commons were allowed to introduce ladies to the inner lobby, whence they could obtain a fragmentary glimpse of the proceedings through a small window. This privilege was withdrawn in 1908, when a lady who was the guest of a member sought to make some return for his hospitality by rushing on to the floor of the House and shouting, "Votes for Women!" Shortly before this two other ladies in the gallery, also the guests of members, had attempted to prove the fitness of their sex for the franchise by chaining themselves to the grille and screaming. This was the first instance of unruly behaviour in the Ladies' Gallery since June of the year 1888, when some women applauded a speech, much to the indignation of Speaker Peel. It resulted in the closing of the gallery, and the exclusion of all but the Speaker's own personal guests, on whose sense of honour and decency he could rely. In 1909, however, the Ladies' Gallery was once more thrown open to members of the fair sex, tickets of admission being confined to the relatives of members, who balloted for them a week in advance. The ladies were required to sign an undertaking to behave decorously while they occupied seats in the gallery, and their exact relationship to members was not inquired into too closely.

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[1] Berkeley's "Recollections," vol. i. p. 359.

CHAPTER XVI

PARLIAMENTARY REPORTING

OF all the strangers who honour the Palace of Westminster with their presence none are treated with greater consideration than the reporters. This touching regard shown for the comfort of the Press is a flower of modern growth. It has blossomed forth within the last fifty years, watered by that love of publicity which is nowadays as common in St. Stephen's as elsewhere. Journalists are in the habit of complaining that the public no longer requires those full reports of parliamentary utterances which a few years ago were considered a very necessary part of the day's news. Short political sketches have taken the place of full verbatim reports, and very few papers give anything but a rough outline of the daily parliamentary proceedings. Politicians themselves, however, do not appear to share the general aversion to reading their speeches in print, and it is strange to contrast the warm welcome accorded by Parliament to modern journalism with the cold reception met with by reporters in the days of our ancestors.

In the Order Book of the House of Commons there still exists a Standing Order which, though long in disuse, has never been repealed, declaring it a gross breach of privilege to print or publish anything relating to the proceedings of either House. This is but a relic of those distant days when the perpetual conflicts between the Commons and the Crown made secrecy a necessity of debate.

In the sixteenth and seventeenth centuries Parliament was anything but anxious that the result of its deliberations should be made public, except in such a form as it considered desirable. The Commons especially feared that information as to their intentions should reach the King's ears, and took every possible precaution to avert such a calamity. In this they were not altogether successful. During the debates on the proposed impeachment of the Duke of Buckingham, in 1626, members were very busy with their pencils. The King himself had as many as four or five amateur note-takers present to supply him with reports, and among the private members were many other unofficial reporters. Of these, perhaps, the most famous was Sir Symonds D'Ewes, the member for Sudbury, a lawyer with only one eye, devout, ambitious, conceited, and something of a snob.[1] Records were, to his way of thinking, the most ravishing and satisfying part of human knowledge. His historical researches had given him an acquaintance with precedents which was long the envy of his colleagues in Parliament. In 1629 he transcribed the Journals of both Houses from the original Journal books, adding comments of his own, and inserting various interesting speeches which he obtained from private manuscripts and diaries. When objections were raised to his incorrigible *cacoethes scribendi*, "If you will not permit us to write," he observed pathetically, "we must go to sleep, as some among us do, or go to plays, as others have done."[2] The contemplation of such tragic alternatives did not, however, shake the resolution of the Commons, and the practice of note-taking was put a stop to by a peremptory order of the House.

Sir Symonds' peculiar knowledge of parliamentary precedents resulted in his perpetual interference with the procedure of the House. His frequent attempts to set the

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[1] "Next to religion," he says in his "Autobiography" (i. 309), "my chief aim is to enrich my posterity with good blood, knowing it to be the greatest honour that can betide a family, to be often linked with the female inheritrices of ancient stock."

[2] Forster's "Grand Remonstrance," p. 124 n.

Speaker right upon various points of order at length irritated the Commons to the verge of madness, and it was with a sigh of relief that his colleagues bade him farewell when he reluctantly retired into private life to continue uninterrupted his antiquarian pursuits.

Rushworth, who was Assistant Clerk of the Commons at the time of the Long Parliament, proved almost as energetic a reporter as D'Ewes, and thereby repeatedly got himself into trouble. In 1642, he was forbidden to take any notes without the sanction of the House, and a Committee was appointed to look through his manuscripts and settle how much of them was worthy of preservation. The result of Rushworth's passion for reporting is the "Historical Collections," which Carlyle has called a "rag-fair of a book; the mournfullest torpedo rubbish-heap of jewels buried under sordid wreck and dust and dead ashes, one jewel to the waggon-load."[1] One of the undoubted gems from this dust-heap is a full account of the proceedings in Parliament on the famous occasion of Charles I.'s violent attempt to arrest the five members. This dramatic incident does not appear to have deprived Rushworth of his presence of mind. While the Commons sat openmouthed and aghast, the Assistant Clerk calmly continued to take notes of every word that fell from the royal lips. For this posterity owes him a debt of the deepest gratitude.

The right of Parliament to deliberate in secret was long jealously guarded, any breach of that privilege being punished with extreme severity. In 1641, an oration delivered by Lord Digby on the Bill for Strafford's attainder, and circulated on his own initiative, was ordered to be burnt by the common hangman. At the same time it was formally resolved that no member should publish any speech without the express permission of the House.

In the reign of Charles II. such men as Shaftesbury, Halifax, Hampden, and Hyde were not reported, though the first would occasionally issue his speeches in pamphlet form.

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[1] Cromwell's "Letters and Speeches," vol. i. p. 79.

Towards the middle of the seventeenth century, however, the House ordered utterances of exceptional importance to be printed. During the Long Parliament licensed reports appeared under the title of "Diurnal Occurrences of Parliament," and later on a meagre outline of the daily proceedings of Parliament began to be published. But when Locke, in 1675, printed a report of a House of Lords' debate, calling it "A letter from a Person of Quality to His Friend," it was ordered by the Privy Council to be burnt.

The Licensing Act of 1662 confined printing to London, York, Oxford, and Cambridge, and did not permit the number of master printers to exceed twenty. The Commons' refusal in 1695 to renew the censorship marks the commencement of the emancipation of the Press.

A system of newsletters had been started with the Restoration, whereby the outside world could learn something of the doings of Parliament. This no doubt whetted the public appetite, and increased the popular interest in political affairs. In 1694, however, it was resolved in Parliament that "no newsletter writers do in their letters or other papers that they disperse presume to intermeddle with the debates or any other proceedings of the House."

Newsletters were rapidly followed by regular newspapers, which supplied their readers with somewhat imaginative accounts of the debates. The periodicals of William III.'s day sometimes reported the speeches of particular speakers, who contributed their manuscripts to the papers. During the factious years that followed, the debates were officially distributed in monthly parts, but at the beginning of the eighteenth century the publication of newspaper reports was again declared a breach of parliamentary privilege, and a stamp duty was imposed with a view to arresting the circulation of the Opposition Press.

A regular party organ first appeared in Queen Anne's reign. This was "The Examiner," subsidised by Harley's Ministry, and conducted by Swift. It was answered by "The Whig Examiner," edited by Addison, which was followed by

"Manwaring's Medley," a paper which soon became the recognised journal of the Opposition.[1] Towards the close of Anne's reign Boyer began to publish "The Political State of Great Britain" in which he included accounts of all the important parliamentary debates.[2] This was succeeded in 1716 by "The Historical Register," which purported to describe the proceedings in both Houses. In the reports of the Commons' debates the names of the speakers were published without concealment, but the Lords were treated more cautiously. Thus, in an account of the Septennial Bill, we find such sentences as, "a noble Duke stood up and said," or "this was answered by a northern peer," no further clue being given as to the identity of the several speakers.[3]

"The Historical Register" was superseded twenty years later by the "Gentleman's Magazine," a monthly periodical founded by the bookseller Cave and edited by Guthrie. Cave used to obtain admission to the House of Commons for himself and a few friends, and would there take surreptitious notes of the proceedings. These he subsequently elaborated in some adjoining coffee-house, evolving lengthy and vivid descriptions of the debates from his inner consciousness. His editor was the first journalist to obtain access to the official parliamentary Journals. The Government had apparently by this time begun to regard the Press as a more or less necessary evil, and thought it worth while to pay Guthrie a small sum for his services, even providing him with a pension when he retired.

The parliamentary articles in the "Gentleman's Magazine" were published under the title of the "Senate of Lilliput," the real names of the various debaters being replaced by pseudonyms which deceived nobody.[4] This periodical is famous as being the medium through which Dr. Johnson originally published his political views. When he was first employed by Cave upon the staff of his paper Johnson was still struggling, not for fame, but for existence, and had no objection to any form of literary labour so long as it provided him with a means of livelihood. His original duties consisted in revising the rough notes made by Guthrie, but by 1740 he had become entirely responsible for the parliamentary articles, and five years later succeeded Guthrie in the editorial chair.

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[1] Cook's "History of Party," vol. i. pp. 357, 582.

[2] May's "Constitutional History," vol. i. p. 422.

[3] Hawkins' "Life of Johnson," vol. xii.

[4] For example: Sholmlng for Cholmondeley, Ptit for Pitt, and Gumdahm for Wyndham.

The reports of the proceedings were often written under great difficulties. Dr. Johnson would at times be compelled to invent the whole debate, depending solely upon his imagination, and being provided with nothing more inspiring than a list of the speakers and of the subjects under discussion. "I wrote that in a garret!" he is always supposed to have said of a much admired speech of Pitt's, and perhaps the oratorical fame of many a statesman of that day is due to Dr. Johnson's literary skill. His style was as a rule far too perfect to pass for that of an ordinary member of Parliament, and in his reports he is often accused of giving not so much what the speakers said as what they ought to have said. Nor was his pen an entirely impartial one, for he always took care, as he explained to Boswell, that the "Whig dogs" should not have the best of it in debate. Writing as he did, very hurriedly and from scanty materials, the compilation of parliamentary reports gave him little satisfaction. As soon as he found that his debates were thought to be genuine, he determined to cease their composition, and in the later years of his life often expressed regret at having been engaged in work of this kind.

The "London Magazine," was the next journal to publish debates, imitating the methods of the "Gentleman's Magazine," by pretending to report the proceedings of an imaginary Roman Senate, and alluding to the speakers by more or less appropriate Latin names.

In spite of these various efforts to establish the liberty of the Press, the attitude of Parliament long remained antagonistic. In 1728 a fresh resolution was passed in the

House declaring it to be a breach of privilege for any one to print any account of the debates, and in the following year a printer of Gloucester was summoned to the bar of the Lords and severely reprimanded for publishing a report of their proceedings.[1] In 1738 Speaker Onslow brought up the subject of parliamentary reporting in the Commons, and a debate ensued. "If we do not put a speedy stop to this practice," said Winnington, "you will have the speeches of this House every day printed, even during your session, and we shall be looked upon as the most contemptible assembly on the face of the earth." Pelham, however, was inclined to deal lightly with the Press. "Let them alone," he said once, "they make better speeches for us than we can make for ourselves."[2] But it was a long time before this sensible view became general.

The struggle between Press and Parliament reached a climax in 1771, when Wilkes's paper, the "North Briton," was publishing the much discussed "Junius letters." Public opinion was by this time becoming gradually alive to the necessity for granting freedom to the Press, and needed but the opportunity to express itself openly upon the subject. The occasion had at length arrived. The Commons in this year were much incensed at the behaviour of some wretched City printers who had offended against the privileges of the House, and despatched the Sergeant-at-Arms to arrest them. After much difficulty two of the culprits were apprehended, but on being taken before the City Aldermen the latter at once ordered their release. When a messenger from the House of Commons attempted to arrest another printer, he was himself seized and carried before the civic authorities, charged with assault. The House was furious at this treatment of their officer, and committed the Lord Mayor and one of the offending aldermen—both members of Parliament—to the Tower.

The Press on this occasion found a worthy champion in

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[1] Raikes's "Journal," vol. ii. p. 321.

[2] Coxe's Pelham Administration, vol. I. p. 355.

Edmund Burke. On the 2nd of March, in a debate which lasted twenty-two hours, Burke effectually held his own, and so bullied and ridiculed the House that he brought the whole business to a standstill. By continually forcing divisions and making use of other obstructive tactics, he managed to delay the parliamentary attempt to muzzle the Press, and gained a great victory for the cause of freedom.

From being actively disliked the Reporters gradually grew to be tolerated, and finally courted and cultivated. Members who had formerly objected to the publication of their speeches soon began to complain with equal bitterness that they were not reported at all. Others, again, grumbled at being misreported, words being attributed to them for which they altogether declined to be responsible. Wedderburn, afterwards Lord Loughborough, complained, in 1771, that the reporting in the Commons was shocking. Of the report of one speech which he was supposed to have delivered he said that "to be sure, there are in that report a few things which I did say, but many things which I am glad I did not say, and some things which I wish I could have said." [1] Burke's famous sentiment that "Virtue does not depend on climates or degrees" was first printed as "on *climaxes* and *trees*." When Sheridan made his great speech at the trial of Warren Hastings, the "Morning Chronicle" reported him as having said that "nothing equal in criminality was to be traced either in ancient or modern history, in the correct periods of Tacitus, or the luminous page of Gibbon." [2] The historian was delighted at being mentioned in so flattering a fashion; "I could not hear without emotion the personal compliment," he says in his autobiography. But when Sheridan was asked how he came to apply the epithet "luminous" to Gibbon, "I said Vo-luminous!" he replied shortly.[3]

Cobbett, too, suffered much from bad reporting, and when he ventured to find fault, the Press retaliated by ceasing to report him at all. Spring-Rice (afterwards Lord Monteagle) was punished in a similar fashion for two years, because he had said something deprecatory of journalism. Another member complained that his speeches had been published in the papers with certain of the sentences printed in italics. "I never spoke in italics in my life!" he exclaimed indignantly.

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[1] Campbell's "Lives of the Chancellors," vol. vi. p. 93.

[2] "Morning Chronicle," June 14, 1788.

[3] Samuel Rogers' "Recollections," p. 67.

O'Connell in 1833 accused a reporter of wilfully perverting one of his speeches. By way of excuse the Pressman stated that on his way home from the House he had been caught in a shower of rain, which had washed out many of his notes. This explanation did not satisfy the Liberator, who justly remarked that it must surely have been an extraordinary shower which could not only wash out one speech, but actually wash in another![1] He was never a favourite of the Press, and they finally decided to discontinue the report of his speeches. As a means of revenge, he determined to prevent all newspaper reporting, and for some time succeeded in doing so. With this end in view, he made a practice of "espying strangers" on every opportunity, and each time he did so the galleries had to be cleared. The withdrawal of the reporters had a natural but most depressing effect upon the oratory of Parliament. "For the first time within my recollection," says Grant, "members kept their word when, on commencing their orations, they promised not to trespass at any length on the patience of the House."[2]

The "Diary," published in 1769, and edited by William Woodfall, was the first paper to give accounts of the parliamentary debates on the day after they had taken place. Woodfall had a marvellous memory, and would sit in the gallery or stand at the bar of either House for hours, without taking a note of any kind, and afterwards reproduce the speeches verbatim. He seemed not to require rest or refreshment, but occasionally fortified himself with a hard-boiled egg. His efforts were, however, spasmodic and irregular, and it was not until 1802, when William Cobbett started the "Weekly Political Register," which afterwards published the debates as supplements under the title of "Cobbett's Parliamentary Debates," that the system of providing regular reports of the proceedings was inaugurated. In 1809 the publication of the "Weekly Political Register" was transferred to T. C. Hansard, whose name has been so long and honourably connected with parliamentary reporting that it is still used colloquially to describe the official volumes.

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[1] O'Connell's "Recollections and Experiences," vol. i. p. 220.

[2] Grant's "Recollections," p. 48.

For over fifty years Hansard carried on the publication of debates as a private speculation, by which time the Government had realised the useful nature of his labours, and assisted him by subscribing for a certain number of sets of the reports for public distribution. In 1877 a Treasury grant was made to enable him to continue the good work with greater fullness and facility, and twelve years later he sold his rights to a syndicate. This new venture proved anything but a financial success, and the publication of the "Parliamentary Debates," as they are now called, was then undertaken by the official Government printers, the reports being composed from notes furnished by the staff of the "Times."

It was not until 1909 that the present system was instituted, and both Houses, while leaving the printing of debates in the hands of the King's Printer, provided themselves with a regular staff of reporters, who were their own officials and unconnected with any company or newspaper.

Up to the time of the Fire, reporters in the Commons always sat in the back row of the Strangers' Gallery, to which they obtained admission by a sessional payment of three guineas. In 1831, the House of Lords provided separate accommodation for the Press, and in the temporary House which was constructed in 1834 a special gallery was reserved for their use.

The Press Gallery in the present House of Commons holds about sixty persons, and is situated exactly behind and above the Speaker's chair. Reporters of the newspapers

WILLIAM WOODFALL

FROM THE PAINTING BY THOMAS BEACH IN THE NATIONAL PORTRAIT GALLERY

in the Lords occupy a similar position, but as the acoustic properties of the Upper Chamber are notoriously bad, a special arrangement has existed for some years, whereby the official reporter of the "Parliamentary Debates" is given a seat on the floor of the House immediately behind the Clerks at the Table.

A hundred years ago the path of the Pressman was not so smooth as it is to-day. Up to 1840 the publication of debates was undertaken at the risk of the printer. In that year Hansard published the report of a Select Committee of the House of Commons, in which a certain book was referred to as "disgusting and obscene." Stockdale, the publisher of the book in question, took the matter into Court and obtained £600 damages for libel. The House retorted by summoning to the bar the Sheriffs of Middlesex who had tried the case, and reprimanded them for their contempt of its privileges. After this Lord John Russell took the first opportunity of introducing a Bill rendering all publication of speeches and documents, if by the authority of Parliament, matters of privilege not amenable to ordinary law. A member of Parliament cannot, however, claim privilege for publishing or circulating the report of any libellous speech made in the House, though he is, of course, protected there for anything he may say. The suggestion that privilege of Parliament should protect members from being proceeded against for writing and publishing libellous articles was discussed in November, 1763, and finally relinquished by a large majority.[1]

The subject of reporting cannot be left without some mention of that official amateur reporter who sits upon the Treasury bench and prepares his nightly précis of the day's parliamentary proceedings. Amateur reporters there have always been in the Commons from the days of Sir Symonds D'Ewes and Sir Henry Cavendish[2] to the present time; but there is only one upon the floor of the House whose duties have ever been officially recognised.

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[1] Walpole's "Memoirs of the Reign of George III.," vol. i. p. 261.

[2] In the heyday of parliamentary corruption, when a critical division was impending, Sir Hercules Langrishe was asked whether Sir Henry

In accordance with a custom of many years standing the Leader of the House of Commons writes a nightly letter to the sovereign, whenever the House is sitting, giving a brief *résumé* of the debates. This letter, often composed somewhat hastily during the course of an exciting debate, is at once sent off in an official dispatch box to His Majesty, and is subsequently filed in the library at Buckingham Palace.[1] The practice dates from the reign of George III., who required George Grenville, then Leader of the House of Commons, to provide him with daily reports of the debates relating to the contest between Parliament and John Wilkes.

The sovereign is not supposed to enter the Lower House —Charles I. was the only monarch who broke this rule—and thus, in days before debates were published at length in the papers, the Crown had no means of ascertaining the doings of the Commons save through the medium of this letter. The need for this one-sided nightly correspondence no longer exists, but the custom still prevails, and adds one more to the already multifarious duties of the Leader of the House, though nowadays it is occasionally delegated to some other Minister, or to one of the Whips.

To-day Press and Parliament are mutually dependent. A great newspaper proprietor who was recently asked which of the two he considered to be the most powerful, found some difficulty in replying. "The Press is the voice without which Parliament could not speak," he said. "On the other hand, Parliament is the law-making machine without which the Press could not act." The question of their relative power and importance must be left to the decision of individual

Cavendish had as usual been taking notes. "He has been taking either notes or money," he replied, "I don't know which."

[1] On one occasion, in the hurry of dispatching his nightly missive, Lord Randolph Churchill accidentally enclosed a quantity of tobacco in the box which he forwarded to Queen Victoria, much to Her Majesty's amusement.

judgment and taste. "Give me but the liberty of the Press," said Sheridan in 1810, in answer to the Premier, Spencer Perceval, "and I will give the Minister a venal House of Peers, I will give him a corrupt and servile House of Commons, I will give him the full swing of the patronage of office, I will give him the whole host of ministerial influences, I will give him all the power that place can confer upon him to purchase submission and overawe resistance; and yet, armed with the liberty of the Press, I will go forth to meet him undismayed; I will attack the mighty fabric he has reared with that mightier engine; I will shake down from its height corruption, and lay it beneath the ruins of the abuses it was meant to shelter!"[1]

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[1] Hansard's "Debates," 1st series, vol. xv.

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